

Digitized by the Internet Archive
in 2012 with funding from
CARLI: Consortium of Academic and Research Libraries in Illinois

<http://archive.org/details/illinoisregistev17i25illi>



1993

Illinois Register

Rules of Governmental Agencies

Volume 17, Issue 25 — June 18, 1993

Pages 8599-9166

111 Chicago Kent

JUN 22 1993

College of Law Library

Administrative Code Div.
288 Howlett Bldg.
Springfield, IL 62756
(217) 782-9786

published by
George H. Ryan
Secretary of State

TABLE OF CONTENTS

PROPOSED RULES

ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF	
Subacute Alcoholism & Substance Abuse Treatment Services; 77 Ill. Adm. Code 2090	8599
COMMERCE COMMISSION, ILLINOIS	
Accounting & Financial Record Requirements; 92 Ill. Adm. Code 1376	8630
Uniform System of Accounts; 92 Ill. Adm. Code 1375, Repeal of	8635
NUCLEAR SAFETY, DEPARTMENT OF	
Notices, Instructions & Reports to Workers; Inspections; 32 Ill. Adm. Code 400	8655
Particle Accelerators; 32 Ill. Adm. Code 390	8666
Radiation Safety Requirements for Wireline Service Operations & Subsurface Tracer Studies; 32 Ill. Adm. Code 351	8674
Registration of Radioactive Materials, Radiation Machine, & Radiation Installations; 32 Ill. Adm. Code 320	8693
POLLUTION CONTROL BOARD	
Solid Waste Disposal: General Provisions; 35 Ill. Adm. Code 810	8702
Standards for Existing Landfills & Units; 35 Ill. Adm. Code 814	8714
Standards for New Solid Waste Landfills; 35 Ill. Adm. Code 811	8726
PUBLIC HEALTH, DEPARTMENT OF	
Intermediate Care for the Developmentally Disabled Facilities Code; 77 Ill. Adm. Code 350	8781
Minimum Standards for the Licensure of Community Living Facilities; 77 Ill. Adm. Code 370	8793

ADOPTED RULES

EMPLOYMENT SECURITY, DEPARTMENT OF	
Americans With Disabilities Act Grievance Procedure; 4 Ill. Adm. Code 1025	8802
Employment; 56 Ill. Adm. Code 2732	8809
HEARING AID CONSUMER PROTECTION BOARD	
Hearing Aid Protection Continuing Education Requirements; 77 Ill. Adm. Code 3000	8817
PUBLIC HEALTH, DEPARTMENT OF	
Hearing Aid Consumer Protection Code; 77 Ill. Adm. Code 682	8825
REVENUE, DEPARTMENT OF	
Board of Appeals; 86 Ill. Adm. Code 210	8860
Income Tax; 86 Ill. Adm. Code 100	8869
SAVINGS AND RESIDENTIAL FINANCE, COMMISSIONER OF	
Savings Bank Act; 38 Ill. Adm. Code 1075	8894
SECRETARY OF STATE	
Cancellation, Revocation or Suspension of Licenses or Permits; 92 Ill. Adm. Code 1040	9028

ADOPTED RULES (CONT'D)

TRANSPORTATION, DEPARTMENT OF

Morris Municipal Airport Hazard Zoning; 92 Ill. Adm. Code 67	9035
Scott Joint-Use Airport Hazard Zoning; 92 Ill. Adm. Cod 77	9057

TREASURER

Home Ownership Made Easy Act; 74 Ill. Adm. Code 750, Repeal of	9079
Home Ownership Made Easy Act; 74 Ill. Adm. Code 750	9081

EMERGENCY RULES

NUCLEAR SAFETY, DEPARTMENT OF

Use of Radionuclides in the Healing Arts; 32 Ill. Adm. Code 335	9099
---	------

PUBLIC HEALTH, DEPARTMENT OF

Intermediate Care for the Developmentally Disabled Facilities Code; 77 Ill. Adm. Code 350	9105
Minimum Standards for the Licensure of Community Living Facilities; 77 Ill. Adm. Code 370	9117

NOTICE PURSUANT TO P.A. 87-823

COMMERCE COMMISSION, ILLINOIS

Access to Information; 2 Ill. Adm. Code 1701	9125
Least-cost Planning for Electric Utilities; 83 Ill. Adm. Code 440	9126
Least-cost Planning for Natural Gas Utilities; 83 Ill. Adm. Code 535	9127
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 1700	9128
Rules of Practice; 83 Ill. Adm. Code 200	9129

EDUCATION, STATE BOARD OF

Access to Information of the State Board of Education Under the Freedom of Information Act; 2 Ill. Adm. Code 5001	9130
Contested Cases & Other Formal Hearings; 23 Ill. Adm. Code 475	9131
Driver Education; 23 Ill. Adm. Code 252	9132
Health Examinations & Immunizations; 23 Ill. Adm. Code 625	9133
Hearings Before the State Teacher Certification Board; 23 Ill. Adm. Code 480	9134
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 5000	9135
Vocational Education; 23 Ill. Adm. Code 254	9136

EMPLOYMENT SECURITY, DEPARTMENT OF

Administrative Hearings & Appeals; 56 Ill. Adm. Code 2725	9137
General Provisions; 56 Ill. Adm. Code 2960	9138

MINES AND MINERALS, DEPARTMENT OF

Freedom of Information Rules; 2 Ill. Adm. Code 1051	9139
Ill. Oil & Gas Act, The; 62 Ill. Adm. Code 240	9140
Ill. Surface Coal Mining Operations; 62 Ill. Adm. Code 280	9141

NOTICE PURSUANT TO P.A. 87-823 (CONT'D)

REHABILITATION SERVICES, DEPARTMENT OF

Access to Public Records; 2 Ill. Adm. Code 1176	9142
Public Information, Rulemaking, Department Organization; 2 Ill. Adm. Code 1175	9143

UNIVERSITIES CIVIL SERVICES SYSTEM, STATE

Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 5350	9145
--	------

PUBLIC INFORMATION

ENVIRONMENTAL PROTECTION AGENCY

Listing of Derived Water Quality Criteria; 35 Ill. Adm. Code 302	9146
--	------

REQUEST FOR EXPEDITED CORRECTION

CORRECTION, DEPARTMENT OF

Rights & Privileges; 20 Ill. Adm. Code 525	9150
--	------

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Second Notices Received	9154
-----------------------------------	------

EXECUTIVE ORDERS AND PROCLAMATIONS

PROCLAMATIONS

93-130 Correctional Officer Week	9156
93-131 Polish Constitution Day	9156
93-132 Michael Jordan's Restaurant Day	9157
93-133 Cando Day	9158
93-134 Cytotechnology Day	9158
93-135 Fresh Fruit & Vegetable Month	9159
93-136 James W. Compton Day	9159
93-137 RP Awareness Day	9160
93-138 American Heart Association Day	9161
93-139 Charleston Area Senior Center Day	9161
93-140 Frozen Yogurt Month	9162
93-141 Girl Scout Troop 222 Week	9162
93-142 Korean Veterans Of Foreign Wars	9163
93-143 Mattoon Area Senior Center Day	9163
93-144 Mother's Day	9164
93-145 Illinois Derby Day	9164
93-146 Paul M. Harmon Jr. Day	9165

CUMULATIVE INDEX

1993 Index - Issue #25	CI-1
----------------------------------	------

SECTIONS AFFECTED INDEX

1993 Index - Issue #25	SAI-1
----------------------------------	-------

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

93

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of Part: Subacute Alcoholism and Substance Abuse Treatment Services
- 2) Code Citation: 77 Ill. Adm. Code 2090
- 3) Section Numbers:
Proposed Action:
 2090.20 Amended
 2090.35 New Section
 2090.40 Amended
 2090.41 New Section
 2090.42 New Section
 2090.43 New Section
 2090.70 Amended
 2090.90 Amended
 2090.100 Amended
- 4) Statutory Authority: 20 ILCS 305/4-101
- 5) A Complete Description of the Subjects and Issues Involved:
 The rule is being amended to expand Medicaid coverage available for substance abuse ancillary services; to modify professional review procedures; to clarify 16 bed certification; to restructure intensive outpatient billings hours; and to lengthen the certification cycle.
- 6) Will the proposed rule replace an emergency rule currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this rulemaking contain incorporations by reference? No.
- 9) Are there any other amendments pending on this Part? No.
- 10) Statement of Statewide Policy Objectives: A Statement of Statewide Policy Objectives is not necessary.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

Interested persons should address their written comments concerning these rules within thirty (30) days to:

Nancy J. Bennett, General Counsel
 Department of Alcoholism and Substance Abuse
 James R. Thompson Center
 100 W. Randolph Street, Suite 5-600
 Chicago, IL 60601

12) Initial Regulatory Flexibility Analysis:

Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs:
 June 4, 1993

Types of small business affected:
 For-profit and not-for-profit individuals, corporations, or other entities that perform Medicaid reimbursable substance abuse treatment services.

Reporting, bookkeeping or other procedures required for compliance:
 No new reporting requirements are required except as specific to billing for services not formerly reimbursable.

Types of professional skills necessary for compliance: No new or additional professional skills are necessary.

The full text of the Proposed Rule begins on the following page of this issue of the Illinois Register:

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH
 CHAPTER X: DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE
 SUBCHAPTER 8: MEDICAID PROGRAM STANDARDS

PART 2090

SUBACUTE ALCOHOLISM AND SUBSTANCE ABUSE TREATMENT SERVICES

Section	Purpose
2090.10	Definitions
2090.20	Medicaid Enrollment/Licensure
2090.30	General Requirements
2090.35	Treatment Services
2090.40	Auxiliary Services
2090.41	Case Management Services for the Criminal Justice Clients
2090.42	Case Management Services for the Dually Diagnosed
2090.43	Utilization Review
2090.50	Rate Setting
2090.70	Rate Appeals
2090.80	Application and Certification Process
2090.90	Recertification and Inspection
2090.100	Sanctions for Non-compliance
2090.110	

AUTHORITY: Implementing and authorized by Section 4-101 of the Alcoholism and Other Drug Dependency Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 6354-1).

SOURCE: Adopted at 11 Ill. Reg. 2236, effective January 14, 1987; emergency amendments at 12 Ill. Reg. 11273, effective June 30, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 20061, effective November 26, 1988; emergency amendment at 15 Ill. Reg. 10222, effective June 25, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 16662, effective November 1, 1991; amended at 16 Ill. Reg. 11807, effective July 14, 1992; amended at 17 Ill. Reg. _____, effective _____.

Section 2090.20 Definitions

The following definitions shall apply to this Part:

"Clinical Supervision": The review of treatment cases and the use of other supervisory techniques for the purposes of assuring that a client's clinical needs are met.

"Department": the Illinois Department of Alcoholism and Substance Abuse.

ILLINOIS REGISTER

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

"Follow-up": Routine scheduled or unscheduled provider contact with a former client that occurs after the client has been discharged, has been previously specified in the client's treatment and discharge plan, and occurs for a period of time and at least at specified intervals. Follow-up is for the purpose of offering the individual continuing assistance as necessary to maintain and improve upon the clinical goals achieved during treatment.

"Individualized Treatment Plan": The written plan which identifies the care and treatment to be provided to the client based upon documented assessment of his/her individual problems and needs as well as strengths and resources.

"Physician": A person who is licensed to practice medicine in all its branches under the Medical Practice Act of 1987 (Ill. Rev. Stat. 1991, ch. 111, par. 4400-1 et seq.).

"Provider": Any public or private agency, organization, or institution, or unit of state or local government or other legal entity licensed to deliver alcoholism or other drug abuse services according to the requirements specified in Section 2090.30 and enrolled to provide treatment services under the Illinois Medical Assistance Program.

"Psychiatrist": A person licensed to practice medicine in all its branches under the Medical Practice Act of 1987 (Ill. Rev. Stat. 1991, ch. 111, par. 4400-1 et seq.) and who meets the requirements of Section 1-121 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1991, ch. 91 1/2, par. 1-121).

"Qualified Alcoholism and Other Drug Treatment Professional": A person who has a minimum of 2000 hours of paid formal work experience in the field of alcoholism/substance and/or other drug abuse under clinical supervision including at least 1500 documented hours of direct client service and at least 40 clock hours of formal training in the field of alcoholism/substance and/or other drug abuse. The supervised and documented direct client service hours shall include the following: alcoholism/substance and/or other drug abuse client services and treatment activities; screening; assessment and evaluation; treatment planning; intervention; referral activities; client education; case management and consultation; clinical recordkeeping, and recovery support. Direct treatment activities shall include clinically supervised experience working with individuals, groups, and families. A qualified alcoholism and other drug treatment professional may also be a physician licensed to practice medicine in all its branches pursuant to the Medical Practice Act of 1987; a person registered as a psychologist pursuant to the Clinical Psychology Practice Act (Ill. Rev. Stat. 1991, ch. 111, par. 5351); a person licensed as a social worker or licensed clinical social worker pursuant to the Clinical Social Work and Social Work Practice Act (Ill. Rev. Stat. 1991, ch. 111, par. 6351); or a person holding a masters or higher level degree in counseling; or a person certified by the Illinois Alcoholism and Other Drug Abuse Professional Certification Association (IAODAPCA) as a "counselor," "reciprocal," "supervisor" or

ILLINOIS REGISTER

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

"master" in accordance with Certified Alcohol and Other Drug Abuse Counselor Classifications Eligibility Standards for Certification, January 7, 1992 (available from IAODAPCA at 1305 Wabash Avenue, Suite L, Springfield, Illinois). In a detoxification service, a qualified treatment professional may also be a person licensed as a registered nurse pursuant to Section 3(k) of the Illinois Nursing Act of 1987 (Ill. Rev. Stat. 1991, ch. 111, par. 3503(k)); a licensed practical nurse pursuant to Section 3(f) of the Illinois Nursing Act of 1987 (Ill. Rev. Stat. 1989 ch. 111 1/2, par. 3503(f)); or a person certified as an emergency medical technician pursuant to Section 4.12 of the Emergency Medical Services (EMS) Systems Act (Ill. Rev. Stat. 1991 ch. 111 1/2, par. 5504.12); who (except for the registered nurse) has completed at least 40 clock hours of formal training in the field of alcoholism or other drug abuse. In the case of a licensee under the Hospital Licensing Requirements rules, a person determined to be appropriate to deliver the clinical services provided, pursuant to by-laws, rules and regulations approved by the hospital Governing Board under 77 Ill. Adm. Code 250; Subpart C regarding "medical staff" and Section 250.2850 regarding "medical and professional staff."

"Qualified Alcoholism and Other Drug Treatment Supervisor": A person who in addition to meeting the requirements for a qualified alcoholism and other drug treatment professional, has at least an additional 4,000 hours paid work experience in the field of alcoholism/substance and/or other drug abuse and has at least 10 clock hours in formal training in the philosophy and techniques of supervision.

"Recommended by a Physician": The physician formulation of, approval of, or involvement in each client's treatment plan within 14 (calendar) days from the date of initial services. The physician shall establish or approve a diagnosis of alcoholism reimbursed as a Medicaid service under this Section, must be a diagnosis of alcoholism and/or other drug abuse. Evidence of the physician's supervision must be documented by the physician's signed and dated approval of the treatment plan or signed and dated notation indicating concurrence with the plan of treatment in the client's record. The physician must provide a handwritten signature. The provider shall not use a signature stamp. ~~This must be renewed whenever there is a significant change in the treatment plan (e.g., a change in service category, problem identification, or focus of treatment), or at least once within every 90 days, whichever comes first.~~

"Subacute": The level of care necessary to effectively treat an alcohol and/or other drug abuser's dependency on a chemical, without the more intensive measures designed to treat primary medical conditions in an acute care setting (e.g., inpatient hospitalization). Subacute care may be delivered in a facility licensed under the rules for Licensure of Alcoholism and Substance Abuse Treatment, Intervention and Research Programs (77 Ill. Adm. Code 2058) or in a hospital, either of which is certified according to Section 2090.90 for purposes of Medicaid reimbursed alcoholism and/or other drug abuse services.

ILLINOIS REGISTER

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

"Treatment Protocol": Written policies and procedures which describe the client services delivered by the provider. These policies and procedures must be approved and signed by a physician.

"Under age 21" means one who is admitted to treatment services prior to his/her 21st birthday up until he/she no longer requires services or reaches the age of 22, whichever comes first.

"Under the direction of a physician" means treatment services done under the direct supervision of a physician who is on staff and continuously directing the provision of care.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 2090.35 General Requirements

A physician must review and approve the eligible client's diagnosis and treatment plan within fourteen days of initial service. Medical involvement and treatment plan development and review shall be consistent with 77 Ill. Adm. Code 2058 Sections 2058.371, 2058.333 and 2058.336. A Qualified Treatment Professional shall develop and review treatment plans according to review times set forth in Section 2058.333(d). In order for ancillary services to be reimbursable, they must be determined to be necessary in the treatment plan.

(Source: Added at 17 Ill. Reg. _____, effective _____)

Section 2090.40 Treatment Services

a) Outpatient Services

- 1) The provision of face-to-face diagnostic and individual, group, or family treatment on a scheduled or unscheduled basis to an individual who in the clinical judgment of a qualified alcoholism and other drug treatment professional is experiencing a problem with alcohol or other drugs (e.g., family, social, financial, employment, educational, and/or legal). Services are delivered in a Medicaid enrolled nonresidential substance setting. However, outpatient services may be provided in a recipient's place of residence or other off-site location when required because of illness, disability, infirmity, or problems of accessing care at the certified site, as documented in the recipient's individualized treatment plan. This service is designed to reduce or eliminate an individual's intake of alcohol and/or other drugs.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

2)

Scope

Outpatient treatment services must be delivered in accordance with an individualized treatment plan recommended by a physician. Services shall include, but are not limited to, assessment, diagnosis and subsequent individual, group, or family counseling, case coordination, aftercare, and follow-up.

3)

Admission Criteria

To be admitted for outpatient treatment, an individual must be experiencing problems as a result of using alcohol or other drugs and, in the clinical judgment of a qualified treatment professional, must not be actively experiencing psychotic manifestations, or other severe mental or physical illness, which require immediate acute medical or psychiatric care. In addition, the individual must not be intoxicated, incapacitated due to the effects of alcohol or other substances, or in withdrawal. An individual's physical and emotional conditional must allow them to function in their usual non-residential setting.

4)

Staffing Qualifications

A) Outpatient services must be delivered by qualified alcoholism and other drug treatment professionals.

B)

Each qualified alcoholism and other drug treatment professional providing treatment services must receive a minimum of four hours per month of direct clinical supervision delivered in no less than two sessions, by a qualified alcoholism and other drug treatment supervisor.

5)

Reimbursement

Outpatient treatment services delivered to Aid to the Aged, Blind, and Disabled (AABD), Aid to Families with Dependent Children (AFDC), Medical Assistance, No Grant (MANG), Refugee Repatriate Program (RRP) recipients, Title XIX eligible Department of Children and Family Services (DCFS) wards, and persons under the age of eighteen who would qualify for AFDC but do not qualify as dependent children pursuant to 89 Ill. Adm. Code 140.7, are Medicaid-reimbursable via the prospective rates in effect as of the date of service (89 Ill. Adm. Code 148.370). Medicaid claims are submitted to the Department and shall meet the requirements of IDPA rules pursuant to 89 Ill. Adm. Code 148.340 through 148.370 for alcoholism and substance abuse treatment providers. The billable outpatient unit of service is a client hour defined as face-to-face counseling with a diagnosed client in an individual, group, or family setting. Reimbursement shall occur by a fee-for-service mechanism, using one

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

client hour as the base unit of service, billable to the nearest quarter-hour. No more than two client hours shall be reimbursed for any client during a 24-hour period, except that the maximum number of hours may be extended by the provider to three during a 24-hour period on an individual basis when circumstances exist which limit accessibility to treatment services. These circumstances, such as significant travel distances, must be documented in the individualized treatment plan. In instances where the provider has extended the client hours beyond two per 24-hour period, no more than two of those client hours may be reimbursed for group treatment.

b) Intensive Outpatient Treatment

1) Definition

The provision of diagnostic services and individual or group treatment on a scheduled-only outpatient basis in a Medicaid enrolled subacute setting. This service is designed to reduce or eliminate, through a controlled milieu, an individual's intake of alcohol and/or other substances.

2) Scope

Intensive outpatient treatment services must be delivered in accordance with an individualized treatment plan recommended by a physician. Services shall include, but are not limited to, assessment, evaluation, diagnosis, and subsequent individualized, group, or family counseling, education, case coordination, aftercare and follow-up. Intensive outpatient treatment is a structured program offered a minimum of four three days or evenings per week (not exceeding 4 hours per day), and a minimum of 15 hours with a range of at least 9 hours to a maximum of 20 hours of treatment activities by professional staff per client per week, or in the case of adolescent intensive outpatient treatment, a minimum of 3 days or evenings per week and 24 hours of treatment activities per client per week.

Admission Criteria

Individuals admitted to intensive outpatient treatment must, in the clinical judgment of a qualified alcoholism and other drug treatment professional, be experiencing problems related to their addictive or abusive use of alcohol and/or other drugs which requires a level of care exceeding that available in outpatient treatment. Individuals experiencing active psychotic manifestations, or other severe mental or physical illness which requires immediate acute medical or psychiatric care, should not be admitted to intensive outpatient treatment. In addition, the individual shall not be intoxicated,

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

4)

Staffing Qualifications

At least one qualified alcoholism and other drug treatment professional must deliver at least 50% of direct client treatment services during each treatment session. Additional services may be delivered by specialty staff, for example, vocational counselors or activity therapists.

5)

Reimbursement

Intensive outpatient treatment services provided to AABD, AFDC, MANG, and RRP recipients, Title XIX eligible DCFS wards, and persons under the age of eighteen who would qualify for AFDC but do not qualify as dependent children pursuant to 89 Ill. Adm. Code 140.7, are Medicaid reimbursable via the prospective rates in effect as of the date of service (89 Ill. Adm. Code 148.370). Medicaid claims are submitted to the Department and shall meet the requirements of IDPA rules pursuant to 89 Ill. Adm. Code 148.340 through 148.370 for alcoholism and substance abuse treatment providers. Reimbursement shall occur by a fee-for-service mechanism, using one client session of a minimum of three hours as the base unit of service. No more than one client session shall be reimbursed per 24 hour period. Services for clients enrolled in intensive outpatient treatment shall not be reimbursed under the provisions for outpatient services.

6)

Exemption

Reimbursement for less than 9 hours of services within a given week for an individual client may be allowed if there is clinical reason or justification which is documented in the client's record. Fewer hours should be an exception, not the norm, and should not occur on a continuous basis. Appropriate justification would be things such as but not limited to: unavoidable scheduling conflicts involving other medical, legal or necessary services; illness; initial failure to engage in treatment; conflict with other responsibilities (care of a child or elder); etc. Mere documentation that there is a "no show" is not sufficient.

c) Residential Rehabilitation

1)

Definition

The provision of diagnostic services and individual or group treatment on a scheduled-only residential basis in a Medicaid enrolled hospital subacute setting;

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

or to individuals under age 21 in a psychiatric facility or an inpatient program in a psychiatric facility, either of which is accredited by the Joint Commission on Accreditation of Health Care Organizations (JCAHO), 875 North Michigan Avenue, Chicago, Illinois. This service is designed to reduce or eliminate, through a controlled milieu, an individual's intake of alcohol and/or other drugs.

2)

Scope

Residential rehabilitation must be delivered in accordance with an individualized treatment plan recommended by a physician if in a hospital setting, and under the direction of a physician if in a psychiatric facility. Services must include, but are not limited to assessment, evaluation, diagnosis, and subsequent individual, group, or family counseling, education, case coordination, aftercare and follow-up. Residential rehabilitation is a structured residential program offered seven days per week and includes a minimum of 25 hours of treatment activities per client per week.

3)

Admission Criteria

Individuals admitted to residential rehabilitation must, in the clinical judgment of a qualified alcoholism and other drug treatment professional, be experiencing problems related to their addictive or abusive use of alcohol and other drugs which requires a level of care exceeding that available in outpatient and intensive outpatient treatment. Individuals experiencing active psychotic manifestations, or other severe mental or physical illness which requires immediate acute medical or psychiatric care, should not be admitted to residential rehabilitation. In addition, the individual shall not be intoxicated, incapacitated due to the effects of alcohol or other drugs, or in withdrawal.

4)

Staffing Qualification

At least one qualified alcoholism and other drug treatment professional must deliver at least 50% of direct client treatment services during each treatment session. Additional services may be delivered by specialty staff, for example, vocational counselors or activity therapists.

5)

Reimbursement

Residential rehabilitation services provided to AABD, AFDC, MANG, and RRP recipients, Title XIX eligible DCFS wards, and persons under the age of eighteen who would qualify for AFDC but do not qualify as dependent children pursuant to 89 Ill. Adm. Code 140.7, are Medicaid reimbursable via the prospective rates in effect as of the date of service (89 Ill. Adm. Code 148.370). Medicaid claims

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

are submitted to the Department and shall meet the requirements of IDPA rules pursuant to 89 Ill. Adm. Code 148.340 through 148.370 for alcoholism and substance abuse treatment providers. Reimbursement shall occur on a per diem basis. Services for clients enrolled in a residential rehabilitation program with over 16 beds shall not be reimbursed under the provisions for outpatient, intensive outpatient or detoxification services.

d) Detoxification

1) Definition

The provision of immediate physiological stabilization and diagnostic and short term treatment on a non-scheduled basis to an individual who is intoxicated or experiencing withdrawal from the ingestion of alcohol and/or other drugs, and whose physical and emotional condition does not require the intensity of an acute care setting, but does require intensive monitoring and observation. Detoxification is care provided in a Medicaid enrolled hospital subacute setting, or to individuals under age 21 by a Medicaid enrolled psychiatric facility or an inpatient program in a psychiatric facility, either of which is accredited by JCAHO, to an individual whose physical and emotional condition requires ongoing monitoring and observation, as well as more intensive assessment and treatment counseling, and is intended to lead to further treatment as necessary. This service is provided in a highly controlled and supportive residential subacute environment.

2) Scope

Detoxification services shall be provided in accordance with a treatment protocol approved and signed by a physician if in a hospital, and under the direction of a physician if in a psychiatric facility. Services shall include but are not limited to assessment, evaluation, diagnosis, determination of need for more specialized medical care, rest, under close observation, individual counseling, case coordination, and subsequent referral, room and board, meals, and supervision by staff.

3) Admission Criteria

To be admitted for detoxification, an individual must be intoxicated or incapacitated by alcohol and/or other drugs, and/or must be experiencing alcohol and/or other drug withdrawal. However, an individual must not be comatose and must not be actively experiencing psychotic manifestations or other severe mental or physical illness which requires immediate acute medical or psychiatric care.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

4) Staffing Qualifications

At least two staff members one of whom is a qualified alcoholism and other drug treatment professional, are to be on duty at all times.

5) Reimbursement

Detoxification services provided to AABD, AFDC, MANG, and RRP recipients, Title XIX eligible DCFS wards, and persons under the age of eighteen who would qualify for AFDC but do not qualify as dependent children pursuant to 89 Ill. Adm. Code 140.7 are Medicaid-reimbursable via prospective rates in effect as of the date of service (89 Ill. Adm. Code 148.370). Medicaid claims are submitted to the Department and shall meet the requirements of IDPA rules pursuant to 89 Ill. Adm. Code 148.340 through 148.370 for alcoholism and substance abuse treatment providers. Reimbursement for detoxification services shall occur on a per diem basis. However, admissions less than 12 hours in length shall be reimbursed at a per episode rate. No more than one client episode shall be reimbursed per 24 hour period.

e) Day Treatment Services

1) Definition

The provision of treatment services as defined in subsection (c)(1) above, except that the services shall be provided by a program licensed pursuant to 77 Ill. Adm. Code 2058.372 through 376 and certified hereunder as having 16 beds or less. To be certified as having 16 beds or less a program must either be a free-standing program of 16 or fewer beds or within a larger facility, be a unit of 16 beds or less and must:

- A) be separately certified and licensed;
- B) be physically separate from other certified and licensed programs (as, for example, be separated by floors, wings, or other building sections);
- C) provide a level of care significantly different in clinical content from other certified and licensed programs (as, for example, adult versus adolescent care, women versus men, hearing impaired versus non-impaired, etc.);
- D) have a separate cost center;
- E) have separate staffing; and
- F) have separate operating policies and procedures.

2) Scope

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

The scope of services is the same as set forth in subsection (c)(2) excluding room and board, meals, night supervision of dormitory areas and other domiciliary support services.

3) Admission Criteria

Admission criteria shall be the same as those set forth in subsection (c)(3) above.

4) Reimbursement

Day treatment services shall be reimbursed at an all-inclusive per diem rate as set forth in Section 2090.70(c)(5), available upon certification of the facility and approval of the Illinois Public Aid State Plan provisions for day treatment by the Health Care Financing Authority (HCFA).

f) Day Detoxification Services

1) Definition

The provision of detoxification services as defined in subsection(d)(1) above, except that the services shall be provided by a program licensed pursuant to 77 Ill. Adm. Code 2058.380 through 384 and certified hereunder as having 16 beds or less.

2) Scope

The scope of services are the same as those set forth in subsection(d)(2) excluding room and board, meals, night supervision of dormitory areas and other domiciliary support services.

3) Admission Criteria

Admission criteria shall be the same as those set forth in subsection(d)(3) above.

4) Staffing Qualifications

Staffing qualifications shall be the same as set forth in subsection (d)(4) above.

5) Reimbursement

Day detoxification services shall be reimbursed at an all-inclusive per diem rate as set forth in Section 2090.70 (c)(6), available upon certification of the facility and approval of the Illinois Public Aid State Plan provisions for day treatment by

ILLINOIS REGISTER

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

the Health Care Financing Authority (HCFA).

g) Ancillary Psychiatric Diagnostic Services

1) Ancillary psychiatric diagnostic services are limited to psychiatric evaluations to determine whether the individual's primary condition is attributable to the effects of alcohol or drugs or to a diagnosed psychiatric or psychological disorder. Such an evaluation shall determine the individual's primary condition and recommend appropriate treatment services.

2) Psychiatric evaluations/reimbursable through Medicaid are limited to a psychiatric evaluation/examination of a client as a result of the exchange of information with the primary physician and other informants such as nurses, counseling staff, or family members and the preparation of a report including psychiatric history, mental status, and diagnosis. This service shall be performed by a psychiatrist.

3) Psychiatric evaluations may be delivered to individuals admitted to a outpatient, residential rehabilitation, intensive outpatient, or detoxification services where the need for such services is documented in the client's individualized treatment plan. Documentation of all such services shall be maintained in the client record.

4) Ancillary diagnostic services delivered to AABD, AFDC, MANG, and RRP recipients, Title XIX eligible DCHS wards, and persons under the age of eighteen who would qualify for AFDC but do not qualify for a dependent child benefit pursuant to 89 Ill. Adm. Code 140.7, are Medicaid reimbursable on a per encounter basis at the prevailing rate as established by IDPA pursuant to 89 Ill. Adm. Code 140.400.

h) Ancillary Methadone Services

Ancillary Methadone Services reimbursable through Medicaid are limited to initial and ongoing face to face medical examinations which are medically necessary, including delivery and monitoring, and collection, processing and related toxicology testing of client urine specimens. In order to be reimbursable these services must be delivered to Medicaid recipients who are served in an enrolled Methadone Treatment Program. Reimbursement is available from the effective date of approval by HCFA of the Illinois Public Aid State Plan provisions regarding ancillary methadone services. Such services must be rendered in accordance with the standards established in 21 CFR 201.505 (1991) and 77 Ill. Adm. Code 2058.

1) Physician services must be performed by a physician who holds a current and unexpired license to practice medicine in Illinois, who is enrolled in good standing in the Illinois Medicaid program and is an individual practitioner

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

employed by or under contract with the participating medical health care provider.

A) The Initial Comprehensive Medical Examination must be done in accordance with the standards set forth in 77 Ill. Adm. Code 2058.324 and 21 CFR 201.505 (1991, no subsequent dates or editions), and must include at least the "minimum contents of a medical evaluation" as set forth in 21 CFR 201.505(d)(3) (1991, no subsequent dates or editions), such as, but not limited to: medical history; use and/or abuse history; evidence of current physiologic dependence; a physical examination; determination of vital signs; required laboratory tests; examination of appearance and overall impression. Findings must be recorded in the patient's record in accordance with the standards set forth in 77 Ill. Adm. Code 2058.333, and the physician shall participate in individualized treatment planning.

B) The Ongoing Medical Examination includes face-to-face, medically necessary physician examinations including, but not limited to the following: required medical supervision of the patient's medication regimen; required follow-up of any physical or mental problem identified during the admission physical or nursing assessment; required evaluation and modification of the individualized patient treatment plan; prescribing of medication and initiation of significant changes in treatment planning; and must be facilitated by physician services involving face-to-face contact with the client. Medical necessity shall be determined by the physician based on medical diagnosis.

C) Reimbursement for physician services shall be made on a per encounter basis, using the rates established by IDPA for such services. Initial comprehensive examination reimbursement is limited to one lifetime per recipient per provider. Ongoing examinations are limited to those which are medically necessary.

Delivery of Medication includes the prescribed diagnosis and required testing; by qualified non-staff, of an observed or telephonic drug or alcohol test method on an individual Medicaid recipient client, in accordance with 77 Ill. Adm. Code 2058.324 and 2058.360. Reimbursement shall be made per encounter using a rate based on dosage with plus a standard delivery fee agreed to between the Department and IDPA.

D) Technology testing includes the collection, packaging, purchasing and processing of urine specimens and testing in accordance with 77 Ill. Adm. Code 2058.346, 21 CFR 201.505(d)(2) (1991, no subsequent dates or editions), and other

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

participating state and federal laws. To be reimbursable, technology testing must be done either by a laboratory that is licensed by the Illinois Department of Public Health, pursuant to the Clinical Laboratory Act (4th Rev. Stat. 1991, ch. 114 4/2, par. 621-101 et seq.) and the Clinical Laboratory Code, 77 Ill. Adm. Code 450, and if applicable 77 Ill. Adm. Code 2058.366, certified by the National Institute on Drug Abuse (NIDA), and/or be done by an approved drug testing machine at a facility certified pursuant to 77 Ill. Adm. Code 450 or exempt from such certification; either of which is testing done by a contract with a certified methadone program. Reimbursement shall be determined by a cost based rate methodology; such rate to be calculated by the Department and approved by IDPA.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 2090.41 Ancillary Services

Ancillary services must be determined to be necessary in the client's individualized treatment plan to be reimbursable.

a) Ancillary Psychiatric Diagnostic Services

1) Ancillary psychiatric diagnostic services are limited to psychiatric evaluations to determine whether the individual's primary condition is attributable to the effects of alcohol or drugs or to a diagnosed psychiatric or psychological disorder. Such an evaluation shall determine the individual's primary condition and recommend appropriate treatment services.

2) Psychiatric evaluations reimbursable through Medicaid are limited to a psychiatric evaluation/examination of a client and the exchange of information with the primary physician and other informants such as nurses, counseling staff, or family members and the preparation of a report including psychiatric history, mental status, and diagnosis. This service shall be performed by an enrolled psychiatrist.

3) Psychiatric evaluations may be delivered to individuals admitted to outpatient residential rehabilitation, intensive outpatient, detoxification, day detoxification or day treatment services where the need for such services is documented in the client's individualized treatment plan. Documentation of all such services shall be maintained in the client record.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

- 4) Ancillary diagnostic services delivered to AABD, AFDC, MANG, and RRP residents. Title XIX eligible DCFS wards, and persons under the age of eighteen who would qualify for AFDC but do not qualify as dependent children pursuant to 89 Ill. Adm. Code 140.7, are Medicaid-reimbursable on a per-encounter basis at the prevailing rate as established by IDPA pursuant to 89 Ill. Adm. Code 140.400.

b) Ancillary Methadone Services

Ancillary Methadone Services reimbursable through Medicaid are limited to: initial and ongoing face-to-face medical examinations which are medically necessary; methadone delivery and monitoring; and collection, processing and related toxicology testing of client urine specimens. In order to be reimbursable these services must be delivered to Medicaid residents who are served in an enrolled Methadone Treatment program. Reimbursement is available from the effective date of approval by HCFA of the Illinois Public Aid State Plan provisions regarding ancillary methadone services. Such services must be rendered in accordance with the standards established in 21 CFR 291.505 (1991) and 77 Ill. Adm. Code 2058.

- 1) Physician services must be performed by a physician who holds a current and unencumbered license to practice medicine in Illinois, who is enrolled in good standing in the Illinois Medicaid program, and is an individual practitioner employed by or under contract with the participating methadone program.

A) The Initial Comprehensive Medical Examination must be done in accordance with the standards set forth in 77 Ill. Adm. Code 2058.330 and 21 CFR 291.505 (1991, no subsequent dates or editions), and must include at least the "minimum contents of a medical evaluation" as set forth in 21 CFR 291.505(d)(3) (1991, no subsequent dates or editions), such as, but not limited to: medical/narcotic use and/or abuse history, evidence of current physiologic dependence, a physical examination, determination of vital signs, required laboratory tests, examination of appearance and overall impression. Findings must be recorded in the patient's record in accordance with the standards set forth in 77 Ill. Adm. Code 2058.333, and the physician shall participate in individualized treatment planning.

B) The Ongoing Medical Examination includes face-to-face, medically necessary physician examinations including, but not limited to the following: required medical supervision of the patient's methadone medication regimen; required follow-up of any physical or mental problem identified during the admission physical or arising subsequently; required reevaluation and modification of the individualized patient

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

treatment plan, prescribing of medication and monitoring of significant changes in treatment planning; and must be documented by physician signature as involving face to face contact with the client. Medical necessity shall be determined by the physician based on medical diagnosis.

C) Reimbursement for physician services shall be made on a per encounter basis, using the rates established by IDPA for such services. Initial comprehensive examination reimbursement is limited to once a lifetime per recipient, per provider. Ongoing examinations are limited to those which are medically necessary. Reimbursement for ongoing examinations are limited to 4 per recipient, per year, per provider.

- 2) Delivery of Methadone includes the prescribed dispensing and required reporting, by qualified medical staff, of an observed or take home dosage or dosages of methadone to an individual Medicaid recipient client. In accordance with 77 Ill. Adm. Code 2058.324 and 2058.369, Reimbursement shall be made per encounter using a rate based on dosage cost plus a standard delivery fee agreed to between the Department and IDPA.

- 3) Toxicology testing includes the collection, packaging, preparing and processing of urine specimens and testing in accordance with 77 Ill. Adm. Code 2058.366, 21 CFR 291.505(d)(2) (1991, no subsequent dates or editions), and other pertinent state and federal laws. To be reimbursable, toxicology testing must be done either by a laboratory that is licensed by the Illinois Department of Public Health, pursuant to the Clinical Laboratory Act (Ill. Rev. Stat. 1991, ch. 111, 212 par. 621-101 et seq.) and the Clinical Laboratory Code, 77 Ill. Adm. Code 450, and if applicable 77 Ill. Adm. Code 2058.366, certified by the National Institute on Drug Abuse (NIDA); and/or be done by an approved drug testing machine at a facility certified pursuant to 77 Ill. Adm. Code 450 or exempt from such certification; either of which is testing done by or under contract with the certified methadone program. Reimbursement shall be determined by a cost based rate methodology, such rate to be calculated by the Department and approved by IDPA. Reimbursement shall be limited to 12 panels per recipient per year.

c) Ancillary Physician Services (Other than for Methadone Clients)

- 1) Physician enrollment/certification - Physician services as described below which are not otherwise reimbursed by IDPA through the physician's individual enrollment may be reimbursed for Medicaid eligible patients who receive substance treatment for substance abuse from a certified provider. The services must be performed by a physician who holds a current and unencumbered license

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

to practice medicine in Illinois and who is enrolled in good standing in the Illinois Medicaid program, and is an individual practitioner employed by or under contract with a program certified under this Part to provide outpatient, intensive outpatient, residential rehabilitation, detoxification, day treatment, or day detoxification services.

2) The following types of physician examinations may be reimbursed:

A) Initial Comprehensive Medical Examination -- which must include at least but are not limited to: review of systems and complaints of current illness, past medical and substance abuse history, family history, personal history, complete evaluation of symptoms and complaints, complete physical examination, determinations of vital signs, required laboratory and diagnostic procedures, and examination of appearance and overall impression. Findings must be recorded in the patient's record in accordance with 77 Ill. Adm. Code 2058.333.

B) Ongoing Medical Examination -- which is a face-to-face, medically necessary, physician examination such as, but not limited to: required medical supervision or modification of any controlled substance or medication prescriptions; required follow-up of any physical or mental problem identified during the admission physical or arising subsequently; and required reevaluation, monitoring or modification of the patient treatment plan. Face to face contact must be documented by the physician's signature. Medical necessity shall be determined by the physician based on medical diagnosis.

3) Reimbursement for physician services shall be made on a per encounter basis, using the rates established by IDPA for such services. Initial comprehensive examination reimbursement is limited to a once a lifetime per recipient, per provider. Ongoing examinations are limited to those which are medically necessary. Reimbursement for ongoing examinations are limited to 4 per recipient, per year, per provider.

d) Ancillary Psychological Assessments

1) Psychological assessments as described below which are provided to Medicaid eligible clients in a treatment program certified to provide case management, outpatient, intensive-outpatient, residential, rehabilitation, detoxification, day treatment or detoxification services, are eligible for reimbursement.

2) Psychological assessments must be performed by a clinical psychologist licensed under the Clinical Psychology Practice Act, and Medicaid enrolled (in good standing with an unencumbered license) and on staff or contract to the certified program. Nationally standardized psychological assessment instruments shall be used. The assessment shall assess the client's functioning in emotional,

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

cognitive, intellectual and/or behavioral domains. It shall result in a formulation of problems, tentative diagnosis, and recommendation for treatment or services, and be documented by the psychologist's signature.

3) The psychological assessment shall be reimbursed at a cost based rate on a per hour basis if on-site, and on a separate per hour basis off site, billable to the nearest quarter hour. No more than six hours may be invoiced annually per Medicaid recipient. The rate shall be consistent with that of the Department of Mental Health and Developmental Disabilities.

e) Ancillary Toxicology Services (other than for Methadone Clients)

Toxicology testing includes the collection, packaging, preparing and processing of urine specimens and testing in accordance with 77 Ill. Adm. Code 2058.366, and other pertinent state and federal laws. To be reimbursable, toxicology testing must be done either by a laboratory that is licensed by the Illinois Department of Public Health pursuant to the Clinical Laboratory Act (Ill. Rev. Stat. 1989, ch. 111 1/2 par. 621-101 et seq.) and the Clinical Laboratory Code, 77 Ill. Adm. Code 450, and if applicable 77 Ill. Adm. Code 2058.366, certified by the National Institute of Drug Abuse (NIDA), and/or be done by an approved drug testing machine at a facility certified pursuant to 77 Ill. Adm. Code 450 or exempt from such certification, either of which is testing done by or under contract with a treatment program which is certified by this part to do case management, outpatient, intensive outpatient, residential rehabilitation, day treatment, or day detoxification services. Reimbursement shall be determined by a cost based methodology, such rate to be calculated by the Department and approved by DPA. Reimbursement shall be limited to 12 panels per recipient per year.

(Source: Added at 17 Ill. Reg. _____, effective _____.)

Section 2090.42

Case Management Services for Criminal Justice Clients

a) General

1) Case management services as described herein shall be reimbursable for Medicaid recipients who are adult or juvenile offenders in the Illinois criminal and juvenile justice system jurisdiction, and who are provided such services by a Medicaid-enrolled program(s) licensed by the Department to screen, assess, refer and track criminal justice system clients identified as having indications of alcoholism or other drug abuse or dependency.

2) An individualized care plan describing the health and social services required, shall be developed for each client requiring services, upon admission. The plan shall be developed and services shall be performed by a Qualified Treatment Professional.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

b) Services

Case management services as described herein shall be reimbursable for Medicaid recipients as described in subsection(a) above who require assistance in gaining and coordinating access to necessary care, substance abuse services, and other medical, social, and educational services appropriate to the needs of the recipient. Reimbursable services shall include:

- 1) Screening the client to assure he/she meets criteria for acceptance into the program for treatment as an alternative to incarceration, as set forth in 20 ILCS 305/10-101, or to engage the client who has been ordered to undergo treatment as a condition of probation pursuant to 730 ILCS 5/5-6-3(4).
- 2) Assessment to determine the presence and extent of substance abuse and/or alcoholism; to determine other required health and social services; to give treatment and service prognosis; to determine the appropriate level and types of care; to obtain or verify information by collateral communication with family, employers and other appropriate persons; to complete client consent forms.
- 3) Individualized case management planning specific to the client's substance abuse, treatment and service needs.
- 4) Placement assistance such as but not limited to orientation to treatment, selection of and linkage with a substance abuse treatment provider, provision of recommendations pursuant to assessment, communication with referral source regarding appropriate level of service, and linkage with other needed services such as legal, vocational, housing, and other health and social service needs.
- 5) Waiting list management such as but not limited to weekly group contact.
- 6) Monitoring of service delivery such as but not limited to visits to the treatment or service providers for meetings with recipient and/or treatment staff regarding recipient progress, consultation with other service providers, communication with judicial personnel regarding recipient progress, required court testimony, case conference meetings, meetings regarding compliance with provider and case management agency standards.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

c) Certification

- 2) Monitoring of continuing care such as but not limited to contact to insure ongoing substance-free lifestyle and linkages for vocational training, self-help groups, and GED programs.

d) Standards

The Department may certify a program which is licensed and designated pursuant to Section 1-101 of the Act, Section 305/2-101, type B(1)(b), and Section 305/10-101, to do screening, assessment, referral and tracking as set forth above. By regulation 77 Ill. Adm. Code 2058.410 the Department is authorized and mandated to designate a single organization to provide such services statewide. This assures uniformity of services throughout the state, uniformity of dealing with each circuit court, and systematic and experienced quality of case management services for the clientele.

e) Reimbursement

The program(s) licensed and certified by the Department to provide services in this section shall comply with all provisions as set forth in 77 Ill. Adm. Code 2058.410 for the "designated program." These provisions specify client management, record-keeping, reporting and written procedure requirements.

f) Termination Criteria

Reimbursement shall be by hourly rates based on a cost-based methodology established for the above services. The rates shall include appropriate factors such as networf staff level salary and benefits, other appropriate adjustments thereto, and other factors such as supplies and related program costs.

- 1) The following services as set forth in subsection(b)(1)-(4) above shall be performed individually and a separate single rate for adolescent recipients receiving the services as follows: screening, assessment, treatment planning, pre-placement, placement, and linkage.

- 2) Monitoring services as set forth in subsection(b)(6) and (7) shall be reimbursed at rate for adult recipients in a group or individual setting, and a separate rate for adolescents in a group or individual setting.

g) Termination Criteria

- 1) Determination that the client's level of role functioning has improved and been maintained consistent with the individualized care plan and the

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

client is no longer in need of case management services; or

- 2) Documentation in the client's record that the client has been terminated from participation in the program.

e) Exception

If the provider can demonstrate an inability to recruit OTPs, it may request an exception for individual personnel providing case management services. The Department may grant an exception upon written request documenting efforts made to recruit, the education and experience the provider will require instead, justification of why the proposed staff qualifications are functionally equivalent to a OTP, and a plan to bring the individual into compliance within two years.

(Source: Added at 17 Ill. Reg. _____, effective _____)

Section 2090.43 Case Management Services for the Dually Diagnosed

- a) Case management services may be reimbursed for a Medicaid eligible individual receiving substance abuse services from a Mentally III Substance Abuse (MISA) Specialized Case Management Provider, if the individual requires assistance in gaining access to substance abuse services and to social, educational, vocational, recreational, housing, public income entitlements, and other community services to assist the client in functioning in the community, provided that the case management service has not been used and will not be billed or reimbursed as a mental health case management service under 59 Ill. Rev. Stat. 132.165.

- b) A provider may be certified for provision of case management services herein if it is designated a Specialized Case Management site by agreement between the Department and the Illinois Department of Mental Health and Developmental Disabilities, as memorialized by contract between the Departments.

- c) Case management activities under this section shall include:

- 1) Linkage with a continuum of substance abuse and mental health services;
- 2) Linkage with basic resources, which may include:
 - A) Applying for financial, medical and other public entitlements;
 - B) Locating housing;
 - C) Obtaining medical and dental care;
 - D) Obtaining other social, educational, vocational and recreational services;
- 3) Client-specific advocacy and assistance with problem solving/resolution to assist the client in building community support and family support systems.
- 4) 24-hour crisis response availability; and
- 5) Interagency service coordination.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

- d) Case management services shall be provided following an assessment and development of a dually diagnosed individualized case management plan. Services shall be delivered consistent with the client's case management plan except that immediate assistance may be provided to obtain food, shelter and clothing without prior authorization, if needed. Services shall on a face-to-face or personal contact basis with the client, his or her family, or other persons (such as employees of the public aid offices, restaurants or neighborhood centers), at the client's request or agreement or based on the case management plan, primarily in the client's own home or other appropriate community locations.

- e) Service eligibility criteria shall include determination that:

- 1) The client is currently receiving (or needs) of at least substance abuse and mental health services and one or more of the following: medical, social, educational, rehabilitative, housing, or other service; or
- 2) The client's claimed to be discharged from an inpatient psychiatric facility and may require linkage with a provider for continuing substance abuse and mental health services and community/family support, and may be in need of immediate assistance in securing appropriate housing and income entitlements in order to function independently in the community.

- f) Service termination criteria shall include:

- 1) Determination that the client's level of role functioning has improved and has been maintained consistent with the case management plan, and that the client is no longer in need of advocacy to support adequate role functioning; or
 - 2) Determination that the client has been successfully linked with appropriate substance abuse services and other basic services consistent with the case management plan and is no longer in need of assistance or advocacy to maintain them. Successful linkage is person-to-person contact between a client and the staff of a community provider which has agreed to provide necessary services and the mutual agreement between a client and the staff of the community provider that appropriate services are available and are likely to meet the client's needs; or
 - 3) Documentation in the client's record that the client terminated participation in the program.
- g) Case management services must be provided by a Qualified Mental Health Professional or a Mental Health Professional as defined by 59 Ill. Adm. Code 132.25. The annual maximum units for substance abuse case management services shall not exceed 240 hours and such units are billed in 15 minute increments.

(Source:

Added at 17 Ill. Reg. _____, effective _____)

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

Section 2090.70 Rate Setting

- a) The amount approved for payment for alcoholism and other drug abuse treatment is based on the category and amount of services required by and actually delivered to a recipient. The amount is determined in accordance with prospective rates developed by the Department and adopted by the Department of Public Aid. The adopted rule shall not exceed the charges to the general public.
- b) Rates are cost-based and are individually established annually for each service at each provider. In order that costs may be determined, each provider shall submit, upon application for certification, the provider's annual audit for the prior fiscal year and two copies of the required statistical and financial information which shall be submitted on forms specified by the Department. These shall be submitted in accordance with Section 2090.90 (c)(1) and (2) of this Part. Blank copies of the forms and instructions for its completion may be obtained by submitting a request in writing to:

Illinois Department of Alcoholism and Substance Abuse
Office of Purchased Care Development
222 South College, 2nd Floor
Springfield, IL 62704

- c) Rates are generated through the application of formal methodologies specific to each category.

- 1) Outpatient services shall be reimbursed at an all-inclusive per client hour rate payable to the nearest quarter hour. Such services are defined as face-to-face counseling with a diagnosed client. No more than two client hours shall be reimbursed for any client during a 24 hour period, except as permitted by Section 2090.40 (a)(5).
- 2) Intensive Outpatient services shall be reimbursed at an all-inclusive session rate; a day is defined as a minimum of three hours per 24 period. No more than one client session shall be reimbursed for any recipient during any 24 hour period.
- 3) Residential rehabilitation services shall be reimbursed at an all-inclusive per diem rate. No more than one client day shall be reimbursed for any recipient during any 24 hour period.
- 4) Detoxification services shall be reimbursed at an all-inclusive per diem rate. However, admissions less than twelve hours in length shall be reimbursed at a per episode rate.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

- 5) Day treatment services shall be reimbursed at an all-inclusive per diem rate exclusive of costs attributable to domiciliary services as specified in Section 2090.40(e)(2). No more than one client encounter shall be reimbursed for a recipient in any 24 hour period.
- 6) Day detoxification services shall be reimbursed at an all-inclusive per diem rate which shall exclude costs attributable to domiciliary services as specified in Section 2090.40(f)(2). No more than one client encounter shall be reimbursed for a recipient in any 24 hour period.
- 7) Ancillary psychiatric diagnostic services shall be reimbursed on a per encounter basis to psychiatrists at the practitioner's usual and customary charge, not to exceed the maximum established by the Department.
- 8) Ancillary Methadone services shall be reimbursed on a per service basis using methodology as set forth in each of the reimbursable categories described in Section 2090.40(f).
- 9) Other ancillary services shall be reimbursed as set forth in Section 2090.41.
- 10) Case management services shall be reimbursed as set forth in Sections 2090.42 and 2090.43.
- 11) The provider shall not be reimbursed for more than one covered subacute alcoholism or other drug abuse service per client per day except for ancillary services which may be reimbursed in addition to one of the other covered services.

d) Hospitals

The Department shall establish rates with hospitals delivering subacute services who request such certification and are certified pursuant to this Part. Rates shall be based upon the service definitions found in Section 2090.40 (a), (b), (c) and (d) of this Part, and shall be subject to the provisions of subsections (a), (b) and (c) of this Section.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

Section 2090.90 Application and Certification Process

Each alcohol or substance abuse treatment provider who desires to enroll in the Medicaid program shall submit an application to the Department. The Department shall certify the provider when it is determined that the provider is in compliance with these program standards.

- a) Applications may be obtained by submitting a request in writing to:

Illinois Department of Alcoholism and Substance Abuse
State of Illinois Center
Medicaid Certification Unit
100 West Randolph Street, Suite 5-600
Chicago, Illinois 60601

- b) The Department shall forward the application materials not later than 15 calendar days after receipt of the request.

- c) The applicant shall submit to the Department a completed application form, a copy of the applicant's most recent utilization review report, and the most recent annual audit and statistical and financial data as specified below.

- 1) Applicants who receive funding from the Department shall be in compliance with 77 Ill. Adm. Code 2030 Subparts D, G and Section 2030.710 and 2030.740.

- 2) Applicants who do not receive funding from DASA shall submit one copy of the annual audit according to the standards established in 77 Ill. Adm. Code 2030.620 and two copies of the statistical and financial data submitted in a format required by the Department.

- d) Applications which are missing more than two components shall be returned to the applicant with a statement specifying the missing information. Completed applications may be resubmitted. Applications which are missing one or two components shall be held by the Department and the applicant notified in writing of the missing information. The applicant may submit only the missing components. The Department shall hold such incomplete applications no more than 30 calendar days.

- e) Applications which are complete shall be reviewed for compliance with the requirements of this Part.

- 1) If the application is in compliance with this Part, the Department may

conduct an on-site inspection, survey or a desk audit as necessary to enforce compliance with provisions of this part.

- 2) If the application does not comply with the requirements of this Part, the Department shall notify the applicant in writing of the deficiencies. The applicant may correct the deficiencies and supply the new information to the Department. Should the applicant not satisfactorily respond to the deficiencies within 60 calendar days, the Department shall deny certification.

- f) The Department shall notify the applicant in writing of its determination regarding certification following completion of the on-site inspection, survey or desk audit.

- 1) If the on-site inspection confirms compliance with the requirements of this Part, the Department shall include the IDPA enrollment forms with the letter of certification. The applicant shall submit the completed enrollment forms along with a copy of the letter of certification to IDPA. The effective date of initial certification by the Department shall be the effective date when providers may deliver services to Medicaid recipients which will be reimbursed by IDPA.

- 2) If the on-site inspection survey or desk audit does not confirm compliance with the requirements of this Part, the Department shall notify the applicant in writing of the deficiencies. The applicant may correct the deficiencies and supply the new information to the Department. Should the applicant not satisfactorily respond to the deficiencies within 60 calendar days, the Department shall deny certification.

- g) Where certification has been denied, the applicant may appeal the Department's decision and request a hearing pursuant to 77 Ill. Adm. Code 2000.

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

Section 2090.100 Recertification and Inspection

- a) The Department shall recertify Medicaid enrolled providers ~~annually~~ every three years.
- 1) Ninety (90) days prior to the anniversary date of certification the provider shall submit to the Department:

- A) A recertification application on forms specified by the Department.
B) A statement that the provider continues to meet all requirements of this Part including the appropriate state licensure for each enrolled treatment service category. This statement shall be signed by the Authorized

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

Program Representative of the facility.

- C) Copies of all UR reports since the date of last certification.
- 2) Providers who receive funding from the Department shall be in compliance with 77 Ill. Adm. Code 2030.50 Subparts D, G, and Section 2030.710 and 2030.740.
- 3) Providers who do not receive funding from the Department shall submit one copy of the annual audit according to the standards established in 77 Ill. Adm. Code 2030.620 and two copies of statistical and financial data submitted on forms required by the Department.
- b) Inspections
 - 1) The Department shall conduct inspections, survey or desk reviews of providers certified under this Part as necessary to enforce compliance with provisions of this Part.
 - 2) The Department inspectors staff shall be granted access to all facilities and service areas, client records, and all other records under this Part.
 - c) The provider shall notify the Department in writing within 30 days of any changes in policies or procedures required in this Part.

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

TITLE 77: PUBLIC HEALTH
CHAPTER X: DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE
SUBCHAPTER E: MEDICAID PROGRAM STANDARDS

PART 2090
SUBACUTE ALCOHOLISM AND SUBSTANCE ABUSE TREATMENT SERVICES

Section	Purpose
2090.10	Definitions
2090.20	Medicaid Enrollment/Licensure
2090.30	General Requirements
2090.35	Treatment Services
2090.40	Ancillary Services
2090.41	Case Management Services for the Criminal Justice Clients
2090.42	Case Management Services for the Dually Diagnosed
2090.43	Utilization Review
2090.50	Rate Setting
2090.70	Rate Appeals
2090.80	Application and Certification Process
2090.90	Recertification and Inspection
2090.100	Sanctions for Non-compliance
2090.110	

AUTHORITY: Implementing and authorized by Section 4-101 of the Alcoholism and Other Drug Dependency Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 6354-1).

SOURCE: Adopted at 11 Ill. Reg. 2236, effective January 14, 1987; emergency amendments at 12 Ill. Reg. 11273, effective June 30, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 20661, effective November 26, 1988; emergency amendment at 15 Ill. Reg. 10222, effective June 25, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 16662, effective November 1, 1991; amended at 16 Ill. Reg. 11807, effective July 14, 1992; amended at 17 Ill. Reg. _____, effective _____.

Section 2090.20 Definitions

The following definitions shall apply to this Part:

"Clinical Supervision": The review of treatment cases and the use of other supervisory techniques for the purposes of assuring that a client's clinical needs are met.

"Department": the Illinois Department of Alcoholism and Substance Abuse.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER X: DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE
SUBCHAPTER g: MEDICAID PROGRAM STANDARDS

PART 2090
SUBCATE ALCOHOLISM AND SUBSTANCE ABUSE TREATMENT SERVICES

Section	Purpose
2090.10	Definitions
2090.20	Medicaid Enrollment/Licensure
2090.30	General Requirements
2090.35	Treatment Services
2090.40	Ancillary Services
2090.41	Case Management Services for the Criminal Justice Clients
2090.42	Case Management Services for the Dually Diagnosed
2090.43	Utilization Review
2090.50	Rate Setting
2090.70	Rate Appeals
2090.80	Application and Certification Process
2090.90	Recertification and Inspection
2090.100	Sanctions for Non-compliance
2090.110	

AUTHORITY: Implementing and authorized by Section 4-101 of the Alcoholism and Other Drug Dependency Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 6354-1).

SOURCE: Adopted at 11 Ill. Reg. 2236, effective January 14, 1987; emergency amendments at 12 Ill. Reg. 11273, effective June 30, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 20061, effective November 26, 1988; emergency amendment at 15 Ill. Reg. 10222, effective June 25, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 16662, effective November 1, 1991; amended at 16 Ill. Reg. 11807, effective July 14, 1992; amended at 17 Ill. Reg. _____, effective _____.

Section 2090.20 Definitions

The following definitions shall apply to this Part:

"Clinical Supervision": The review of treatment cases and the use of other supervisory techniques for the purposes of assuring that a client's clinical needs are met.

"Department": the Illinois Department of Alcoholism and Substance Abuse.

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED RULE

1) Heading of the Part: Accounting and Financial Record Requirements

2) Code Citation: 92 Ill. Adm. Code 1376

3) Section Numbers:

1376.10	New Section
1376.20	New Section
1376.30	New Section
1376.40	New Section

4) Statutory Authority: Implementing Section 18c-1202(4) and authorized by Section 18c-1202(9) of The Illinois Commercial Transportation Law (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18c-1101 et seq.).

5) A Complete Description of the Subjects and Issues Involved:

The Commission's current accounting rules for motor carriers (found at 92 Ill. Adm. Code 1375) establish a rigid system of accounts to be followed by carriers in keeping their business records. We are proposing to concurrently repeal those rules and adopt a new rule which will allow carriers the flexibility of keeping their books in accordance with generally accepted accounting principles as long as the motor carrier records can be identified and reported for purposes of auditing and enforcement by the Commission.

6) Will this proposed rule replace an emergency amendment currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed rule contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This proposed rule neither creates nor expands any state mandate on units of local government, school districts, or community college districts.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Any person who plans to submit comments should file a notice

Kathy C. Lynch
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62706

Comments should be filed with within 45 days of the date of this issue of the Illinois Register.

12) Initial Regulatory Flexibility Analysis:

A) Date amendment was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: June 3, 1993

B) Types of small businesses affected: This amendment will affect those common and contract carriers that are also small businesses as defined in the Illinois Administrative Procedure Act.

C) Reporting, bookkeeping or other procedures required for compliance: Carriers will be allowed to keep financial records in accordance with generally accepted accounting principles.

D) Types of professional skills necessary for compliance: None

The full text of the Proposed Rule begins on the next page:

TITLE 92: TRANSPORTATION
CHAPTER III: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER b: MOTOR CARRIERS

PART 1376
ACCOUNTING AND FINANCIAL RECORD REQUIREMENTS

Section
1376.10 Generally Accepted Accounting Principles
1376.20 Classification of Carriers
1376.30 Records
1376.40 Examination and Audit

AUTHORITY: Implementing Section 18c-1202(4) and authorized by Section 18c-1202(9) of the Illinois Commercial Transportation Law (Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 18c-1101 et seq.) [625 ILCS 5/18c-1101 et seq.].

SOURCE: Adopted at Ill. Reg. , effective

Section 1376.10 Generally Accepted Accounting Principles

a) All Illinois Commerce Commission licenses common or contract motor carriers of property, and each receiver, trustee, executor, administrator, or assignee of any such carrier shall comply with generally accepted accounting principles for use in the keeping and recording of their accounts and bookkeeping records.

b) As generally accepted accounting principles, the commission incorporates by reference "Accounting Standards" (June 1992) of the Financial Accounting Standards Board and any subsequent revisions thereof.

Section 1376.20 Classification of Carriers

For the purpose of accounting and reporting regulations, common and contract carriers of property by motor vehicle subject to the Illinois Commerce Commission (intrastate authority) are grouped into the following four classes:

a) Class I - Carriers having annual gross operating revenues (including interstate and intrastate) of \$5 million or more from motor carrier operations.

b) Class II - Carriers having annual gross operating revenues (including interstate and intrastate) of \$1 million, but less than \$5 million, from motor carrier

ILLINOIS COMMERCE COMMISSION

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

NOTICE OF PROPOSED AMENDMENT

operations.

1376.30(a) above.

c) Class III - Carriers having annual gross operating revenues (including interstate and intrastate) of \$100,000, but less than \$1 million, from motor carrier operations.

d) Class IV - Carriers having annual gross operating revenues (including interstate and intrastate) of less than \$100,000 from motor carrier operations.

Section 1376.30 Records

a) Each carrier shall keep its general accounting books and all other books, records and memoranda which support in any way the entries to such accounting books and analyses of general ledger account balances so that it can furnish at any time full information as to any account. Moreover, it shall support each entry to each account with such detailed information as will provide a ready analysis and verification of the facts recorded therein. All expenditures must be definitely supported by vouchers, payrolls, receipted bills, canceled checks, receipts for petty cash payments, or other evidences of the expenditures incurred. All revenues must be supported by freight bills.

b) The books referred to in this Part include not only books of account in a limited technical sense but all other correspondence, memoranda, etc., which will be useful in developing the history of or facts regarding any transaction.

c) Every motor carrier engaged directly or indirectly in any other than a transportation business shall keep separate and distinct records for the transportation operation.

d) Each carrier shall keep its books on the basis of an accounting year of 12 months ending on the 31st day of December of each year.

e) Such books, accounts, records or memoranda shall be preserved for a period of at least three years.

f) Each motor carrier shall have an office in this State and shall keep in said office all such books, accounts, papers, records and memoranda as listed in Section

Section 1376.40 Examination and Audit

Officers and employees of the Commission shall have the authority under the direction of the Commission to inspect, examine, copy and reproduce any and all books, accounts, papers, records and memoranda kept by such motor carrier, authorized personnel or motor carrier agent.

ILLINOIS COMMERCE COMMISSION
NOTICE OF PROPOSED REPEALER

- 11) Heading of the Part: Uniform System of Accounts
- 12) Code Citation: 92 Ill. Adm. Code 1375

Proposed Action:

1375.15	Repeal
1375.15	Repeal
1375.20	Repeal
1375.30	Repeal
1375.40	Repeal
1375.50	Repeal
1375.60	Repeal
1375.70	Repeal
1375.80	Repeal
1375.85	Repeal
1375.1000	Repeal
1375.1010	Repeal
1375.1020	Repeal
1375.1030	Repeal
1375.1040	Repeal
1375.1050	Repeal
1375.1060	Repeal
1375.1070	Repeal
1375.1080	Repeal
1375.1090	Repeal
1375.1100	Repeal
1375.1110	Repeal
1375.1120	Repeal
1375.1130	Repeal
1375.1140	Repeal
1375.1150	Repeal
1375.1160	Repeal
1375.1170	Repeal
1375.1200	Repeal
1375.2020	Repeal
1375.2040	Repeal
1375.2050	Repeal
1375.2060	Repeal
1375.2070	Repeal
1375.2080	Repeal
1375.3010	Repeal
1375.3020	Repeal
1375.3030	Repeal
1375.4010	Repeal
1375.5010	Repeal
1375.6010	Repeal
1375.6020	Repeal

- 4) **Statutory Authority:** Implementing Section 18c-1202(4) and authorized by Section 18c-1202(9) of the Illinois Commercial Transportation Law (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18c-1101 et seq.).
- 5) **A Complete Description of the Subjects and Issues Involved:** This part is being proposed for repeal and replacement by a new part which will allow motor carriers to keep financial records in accordance with generally accepted accounting principles.
- 6) **Will this proposed repeal replace an emergency amendment currently in effect?** No

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED REPEAL

- 7) Does this rulemaking contain an automatic repeal date: No
- 8) Does this proposed repeal contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This proposed repeal neither creates nor expands any state mandate on units of local government, school districts, or community college districts.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Any person who plans to submit comments should file a notice of intent thereof within 21 days of the date of this issue of the Illinois Register with:

Kathy C. Lynch
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62706

Comments should be filed with within 45 days of the date of this issue of the Illinois Register.

12) Initial Regulatory Flexibility Analysis:

- A) Date amendment was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: June 3, 1993
- B) Types of small businesses affected: This amendment will affect those common and contract carriers that are also small businesses as defined in the Illinois Administrative Procedure Act.
- C) Reporting, bookkeeping or other procedures required for compliance: None
- D) Types of Professional skills necessary for compliance: None

The full text of the Proposed Repeal begins on the next page:

ILLINOIS REGISTER

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED REPEAL

TITLE 92: TRANSPORTATION
CHAPTER III: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER B: MOTOR CARRIERS OF PROPERTY

PART 1375

UNIFORM SYSTEM OF ACCOUNTS

SUBPART A: PRELIMINARY

Introduction
Generally Accepted Accounting Principles
Definitions

Section
1375.10
1375.15
1375.20

SUBPART B: INSTRUCTIONS

Classification of carriers
Records
Examination and Audit
Entities Engaged in Non-Transportation Business
Reports by Motor Carriers (Repealed)
Accounting Period
Effective Date

Section
1375.30
1375.40
1375.50
1375.60
1375.70
1375.80
1375.85

SUBPART C: LISTING OF ACCOUNTS

Opening Entries
Account 1010 Cash and Working Funds
Account 1020 Temporary Cash Investments
Account 1030 Accounts Receivable - Trade
Account 1040 Accounts Receivable - Owners, Officers & Affiliates
Account 1050 Accounts Receivable - Other
Account 1060 Allowance for Uncollectible Accounts
Account 1070 Material and Supplies
Account 1080 Prepaid Expenses
Account 1090 Other Current Assets
Account 1100 Plant, Equipment, and Property
Account 1110 Accumulated Depreciation - Plant, Equipment, and Property
Account 1120 Improvements to Leasehold Property
Account 1130 Accumulated Amortization - Improvements to Leasehold Property
Account 1140 Investments
Account 1150 Notes Receivable
Account 1160 Intangible Property

Section
1375.1000
1375.1010
1375.1010
1375.1020
1375.1030
1375.1040
1375.1050
1375.1060
1375.1070
1375.1080
1375.1090
1375.1100
1375.1110
1375.1120
1375.1130
1375.1140
1375.1150
1375.1160

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED REPEALER

Account 1375.1170 Account 1170 Other Non-current Assets
 Account 1375.2010 Account 2010 Accounts Payable - Equipment
 Account 1375.2020 Account 2020 Accounts Payable - Trade
 Account 1375.2030 Account 2030 Accounts Payable - Owners, Officers & Affiliates
 Account 1375.2040 Account 2040 Taxes Payable.
 Account 1375.2050 Account 2050 Other Current Liabilities
 Account 1375.2060 Account 2060 Notes Payable - Equipment
 Account 1375.2070 Account 2070 Notes Payable - Owners, Officers & Affiliates
 Account 1375.2080 Account 2080 Other Long-term Debt
 Account 1375.3010 Account 3010 Capital Stock
 Account 1375.3020 Account 3020 Paid-in Capital in Excess of Par or Stated Value
 Account 1375.3030 Account 3030 Retained Earnings
 Account 1375.4010 Account 4010 Partnership Capital
 Account 1375.5010 Account 5010 Sole Proprietorship Capital
 Account 1375.6010 Account 6010 Operating Revenues - Common Carrier
 Account 1375.6020 Account 6020 Operating Revenues - Contract Carrier
 Account 1375.6030 Account 6030 Other Operating Revenue
 Account 1375.7010 Account 7010 Officers, Owners & Partners Salaries
 Account 1375.7020 Account 7020 Salaries and Wages.
 Account 1375.7030 Account 7030 Payroll Taxes
 Account 1375.7040 Account 7040 Payroll Fringe Benefits
 Account 1375.7050 Account 7050 Other Payroll - Related Expenses
 Account 1375.7060 Account 7060 Fuel, Oil, Lubricants and Coolants
 Account 1375.7070 Account 7070 Other Operating Supplies & Expenses
 Account 1375.7080 Account 7080 Office Supplies & Expenses
 Account 1375.7090 Account 7090 Utility & Communication Expenses
 Account 1375.7100 Account 7100 Professional Services
 Account 1375.7110 Account 7110 Other General Supplies and Expenses
 Account 1375.7120 Account 7120 Fuel Taxes and Licenses
 Account 1375.7130 Account 7130 Other Operating Taxes & Licenses
 Account 1375.7140 Account 7140 Public Liability & Property Damage Insurance.
 Account 1375.7150 Account 7150 Cargo Loss and Damage Insurance
 Account 1375.7160 Account 7160 Fire, Theft and Collision Insurance
 Account 1375.7170 Account 7170 Other Insurance Expenses
 Account 1375.7180 Account 7180 Depreciation - Buildings and Structures
 Account 1375.7190 Account 7190 Depreciation - Revenue Vehicles
 Account 1375.7200 Account 7200 Depreciation - Miscellaneous
 Account 1375.7210 Account 7210 Amortization - Leasehold Improvements
 Account 1375.7220 Account 7220 Amortization - Miscellaneous
 Account 1375.7230 Account 7230 Equipment Rents and Purchased Transportation
 Account 1375.7240 Account 7240 Other Rents
 Account 1375.7250 Account 7250 Uncollectible Revenue

ILLINOIS REGISTER

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED REPEALER

1375.7260 Account 7260 Miscellaneous Expenses
 1375.8100 Account 8100 Other Income
 1375.8110 Account 8110 Gain or Loss on Disposition of Operating Assets - Net
 1375.8120 Account 8120 Interest Expense
 1375.8130 Account 8130 Corporate Income Taxes
 1375.8140 Account 8140 Other Non-operating Deductions

AUTHORITY: Implementing Section 18c-1202(4) and authorized by Section 18c-1202(9) of the Illinois Commercial Transportation Law (Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 18c-1101 et seq.) [625 ILCS 5/18c-1101 et seq.].

SOURCE: Adopted at 8 Ill. Reg. 19956, effective October 1, 1984; Part reclassified at 10 Ill. Reg. 18002; amended at 11 Ill. Reg. 9499, effective May 8, 1987; Part Repealed at 11 Ill. Reg. effective

SUBPART A: PRELIMINARY

Section 1375.10 Introduction

Each Class I, II and III common and contract motor carrier of property, such as carriers are classified by the Illinois Commerce Commission, and each receiver, trustee, executor, administrator, or assignee of any such carrier, is hereby required to comply with said amended system of accounts; and said amended system of accounts is prescribed for use in the keeping and recording of their accounts by such Class I, II and III common and contract motor carriers of property; and each such carrier and each and every receiver, trustee, executor, administrator, or assignee of such motor carrier is required to keep all accounts in conformity therewith. Each Class IV common and contract motor carrier of property, such as carriers are classified by the Illinois Commerce Commission, and each receiver, trustee, executor, administrator, or assignee of any such carrier are not required to keep the accounts prescribed in this section. Class IV common and contract carriers of property, and each receiver, trustee, executor, administrator, or assignee of any such carrier are hereby required to comply with generally accepted accounting principles for use in the keeping and recording of their accounts.

Section 1375.15 Generally Accepted Accounting Principles

- a) As generally accepted accounting principles, the Commission incorporates by reference "Accounting Standards" (June, 1984) of the Financial Accounting Standards

ILLINOIS COMMERCE COMMISSION

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED REPEALER

NOTICE OF PROPOSED REPEALER

Board. The incorporation includes no later amendments or editions.

- b) The books and records kept under this uniform system of accounts shall comply with generally accepted accounting principles.

Section 1375.20 Definitions

"Accounts" refers to the accounts prescribed in this system of accounts.

"Affiliated companies" means companies that directly or indirectly through one or more intermediaries, control or are controlled by, or are under common control with, the reporting company.

"Amortization" means the gradual extinguishment of an amount in an account by distributing such amount over a fixed period, over the life of the asset or liability to which it applies, or over the period during which it is anticipated the benefit will be realized.

"Book cost" means the amount at which property is recorded in these accounts, without deduction of related reserves.

"Carrier" or "motor carrier" means "common carrier of property by motor vehicle" or "contract carrier of property by motor vehicle" as defined in the Illinois Commercial Transportation Law (Ill. Rev. Stat. 1985, ch. 95 1/2, pars. 18c-1101 et seq.).

"Company" or "the company," when not otherwise indicated in the context, means the reporting company.

"Commission" means the Illinois Commerce Commission.

"Cost" means the amount of money actually paid for property or services. When the consideration given is other than cash, in a purchase and sale transaction as distinguished from a transaction involving a merger or a pooling of interest, the value of such consideration shall be determined on a cash basis.

"Current assets" means cash as well as those assets that are readily convertible into cash or are held for current use in operations or construction.

"Current liabilities" means those obligations the amount of which is definitely determined or closely estimated which are either matured or become due within 1 year from the date of the current financial statements or upon demand.

"Depreciation" means the loss in service value not restored by current maintenance, incurred in connection with the consumption or prospective retirement of property in the course of service during current operations.

"Long-term obligations" means obligations having a life of more than 1 year from date of creation or assumption, all unmatured bonds and receivers' or trustees' certificates, and demand obligations which by mutual agreement will not be paid within 1 year from date of the current financial statements.

(Source: Amended at 11 Ill. Reg. 9499, effective May 8, 1987)

SUBPART B: INSTRUCTIONS

Section 1375.30 Classification of carriers

For the purpose of accounting and reporting regulations, common and contract carriers of property by motor vehicle subject to the Illinois Commerce Commission (Intrastate authority) are grouped into the following four classes:

- a) Class I - Carriers having annual gross operating revenues (including interstate and intrastate) of \$5 million or more from motor carrier operations.
- b) Class II - Carriers having annual gross operating revenues (including interstate and intrastate) of \$1 million, but less than \$5 million, from motor carrier operations.
- c) Class III - Carriers having annual gross operating revenues (including interstate and intrastate) of \$100,000, but less than \$1 million, from motor carrier operations.
- d) Class IV - Carriers having annual gross operating revenues (including interstate and intrastate) of less than \$100,000 from motor carrier operations.

NOTICE OF PROPOSED REPEALER
Section 1375.40 Records

a) All the accounts defined in this system of accounts must be kept by the double entry method. Each carrier shall keep its general accounting books and all other books, records and memoranda which support in any way the entries to such accounting books and analyses of general ledger account balances so that it can furnish at any time full information as to any account. Moreover, it shall support each entry to each account with such detailed information as will provide a ready analysis and verification of the facts recorded therein. All expenditures must be definitely supported by vouchers, payrolls, receipted bills, canceled checks, receipts for petty cash payments, or other evidences of the expenditures incurred. All revenues must be supported by freight bills.

b) The books referred to in this Part include not only books of account in a limited technical sense but all other correspondence, memoranda, etc., which will be useful in developing the history of or facts regarding any transaction.

c) Such books, accounts, records or memoranda shall be preserved for a period of at least three years.

d) Each motor carrier shall have an office in this State and shall keep in said office all such books, accounts, papers, records and memoranda as listed in Section 1375.40(a).

Section 1375.50 Examination and Audit

The Commission may provide for the examination and audit of all books, accounts, records and memoranda. All items shall be allocated to the accounts in the manner prescribed by the Commission. The officers and employees of the Commission shall have the authority under the direction of the Commission to inspect and examine any and all books, accounts, papers, records and memoranda kept by such motor carrier. The carriers selected for such examination and audit shall be selected by stratified statistical methodology.

Section 1375.60 Entities Engaged in Non-Transportation Business

The Commission shall require every motor carrier engaged directly or indirectly in any other than a transportation business to keep

ILLINOIS COMMERCE COMMISSION
NOTICE OF PROPOSED REPEALER

separate and distinct records for the transportation operation.

Section 1375.70 Reports by Motor Carriers (Repealed)

(Source: Repealed at 11 Ill. Reg. 9499, effective May 8, 1987)

Section 1375.80 Accounting Period

Each carrier shall keep its books on the basis of an accounting year of 12 months ending on the 31st of December in each year.

Section 1375.85 Effective Date

The Uniform System of Accounts prescribed by this Commission shall become effective on January 1, 1985.

SUBPART C: LISTING OF ACCOUNTS

Section 1375.1000 Opening Entries

a) As of the effective date of this system of accounts the accounts prescribed herein shall be opened by appropriately transferring thereto the balances carried in the accounts previously maintained by the carrier. The carrier is authorized to make such subdivisions, reclassifications, consolidations or other additions to such balances as are necessary to meet the requirements of this system of accounts.

b) The system of accounts is arranged in the following manner:

- | | |
|--------------------------|--------------------------------|
| 1) Accounts 1010 to 5010 | Balance Sheet Accounts |
| 2) Accounts 6010 to 7260 | Income Statement Accounts |
| 3) Accounts 8100 to 8140 | Non-operating Income & Expense |

Section 1375.1010 Account 1010 Cash and Working Funds

This account shall include current funds in the hands of financial officers and agents, cash in transit, and deposits in banks or trust companies available on demand for general company purposes. Also amounts advanced to officers, agents, employees, and others, such as petty cash or working funds of a continuing nature, from which certain expenditures are to be made and accounted for shall be included in this account.

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED REPEALER

Section 1375.1020 Account 1020 Temporary Cash Investments

This account shall include the book cost of investments such as time drafts and time loans receivable, marketable securities and similar investments acquired for the purpose of temporarily investing cash. Any securities included in this account must be such a nature as to be readily convertible into cash at substantially their book value.

Section 1375.1030 Account 1030 Accounts Receivable -- Trade

This account shall include amounts currently due from customers for transportation, storage, packing, and other charges incidental to transportation and for advances to other carriers and warehouses for the account of customers; amounts due from customers as rent for revenue equipment; and other amounts due from transportation charges and balance representing interline freight accounts.

Section 1375.1040 Account 1040 Accounts Receivable -- Owners, Officers & Affiliates

This account shall include all collectible obligations in the form of notes receivable, contracts receivable and similar evidences from owners, officers and affiliates of money receivable on demand or within 1 year from date of issue.

Section 1375.1050 Account 1050 Accounts Receivable -- Other

This account shall include all collectible obligations, not included elsewhere, of money receivable on demand or within a time not exceeding 1 year from date of issue.

Section 1375.1060 Account 1060 Allowance for Uncollectible Accounts

This account shall be credited with amounts reserved for receivables which may become uncollectible.

Section 1375.1070 Account 1070 Material and Supplies

This account shall include the cost of all unapplied materials and supplies used in carrier operations, including tools, repair parts, fuel, tires and tubes, deposits on containers, et cetera.

Section 1375.1080 Account 1080 Prepaid Expenses

This account shall include the current portion of expenses paid or incurred in advance, the benefits of which are to be realized in

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED REPEALER

subsequent periods. Entries shall be made each month, transferring to the appropriate expense or other account the portion of each current prepayment which is applicable to that month.

Section 1375.1090 Account 1090 Other Current Assets

This account shall include the amount of all current assets not includible in any of the foregoing current asset accounts.

Section 1375.1100 Account 1100 Plant, Equipment, and Property

This account shall include all physical property such as land, buildings, structures, revenue equipment, service cars, furniture, and miscellaneous equipment.

Section 1375.1110 Account 1110 Accumulated Depreciation -- Plant, Equipment, and Property

This account shall include the total amount of depreciation credited to the plant, equipment and property assets. Depreciation shall be accounted for on a straight line method, but revenue vehicles may be accounted for on either a straight line method or a mileage method.

Section 1375.1120 Account 1120 Improvements to Leasehold Property

This account shall include the cost to the carrier of initial improvements (including rearrangements, additions, and betterments) to property used in its own carrier operations and held under lease or through control of its carrier owning the property, and the cost of any subsequent additions to and betterments of such leased or controlled property but not including replacements.

Section 1375.1130 Account 1130 Accumulated Amortization -- Improvements to Leasehold Property

This account shall include the total amount of amortization credited to "Improvements to Leasehold Property." Amortization in improvements to property used in carrier operations and held under lease or through control of the carrier owning the property shall be accounted for in the same manner as for other owned depreciable property.

Section 1375.1140 Account 1140 Investments

This account shall include the book cost of the carrier's investments. Exclude from this account securities held in working funds or as temporary cash investments.

ILLINOIS REGISTER

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED REPEALER

Section 1375.1150 Account 1150 Notes Receivable

This account shall include notes of other companies and persons, maturing later than 1 year from the date of the current financial statements, advances to other companies and individuals, and open accounts receivable not subject to current settlement.

Section 1375.1160 Account 1160 Intangible Property

This account shall include intangible property, such as: organization fees paid or expenditures incurred to organize the business; amounts paid in consideration of franchisees, consents or certificates, permits and patents.

Section 1375.1170 Account 1170 Other Non-current Assets

This account shall include the amount of all non-current assets not includible in any of the foregoing non-current asset accounts.

Section 1375.2010 Account 2010 Accounts Payable -- Equipment

This account shall include the face value of outstanding obligations in the form of notes, drafts, acceptances, and similar evidences of indebtedness (which by their terms do not run for a period in excess of 1 year from the date of the current financial statements) on all equipment or property pledged as security or held under conditional sales contracts.

Section 1375.2020 Account 2020 Accounts Payable -- Trade

This account shall include the balances due other carriers and agents, including interline accounts, collect on deliveries (C.O.D.'s) unremitted, et cetera.

Section 1375.2030 Account 2030 Accounts Payable -- Owners, Officers & Affiliates

This account shall include the total of amounts payable to owners, officers and affiliates which are subject to current settlement.

Section 1375.2040 Account 2040 Taxes Payable

This account shall include amounts payable for all taxes accrued or owed.

Section 1375.2050 Account 2050 Other Current Liabilities

ILLINOIS REGISTER

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED REPEALER

This account shall include the amount of all current liabilities not includible in any of the foregoing current liability accounts.

Section 1375.2060 Account 2060 Notes Payable -- Equipment

This account shall include the face value of all unmatured long-term obligations issued by the carrier and not retired or cancelled for which units of revenue equipment and other automotive equipment have been pledged as security or are held under conditional sales contracts, such as equipment bonds, equipment notes, and chattel mortgages; also, equipment obligations due within one year which are expected to be refinanced on a long-term basis. Evidence of such expectation of refinancing would include, but not be limited to, the minutes of board meetings or correspondence with financial institutions indicative of refinancing.

Section 1375.2070 Account 2070 Notes Payable -- Owners, Officers & Affiliates

This account shall include the amount of notes payable to owners, officers and affiliates which are not subject to current settlement, including obligations within one year which are expected to be refinanced on a long-term basis. This account shall also include notes payable on demand but which, by mutual agreement, will not be presented for payment within one year from the date of the current financial statements.

Section 1375.2080 Account 2080 Other Long-term Debt

This account shall include the amount of long-term debt not includible in any of the foregoing long-term debt accounts.

Section 1375.3010 Account 3010 Capital Stock

This account shall include the par value of stock with par value; or the stated value of no par stock having a stated value (treasury stock shall be shown as a reduction in capital stock).

Section 1375.3020 Account 3020 Paid-in Capital in Excess of Par or Stated Value

This account shall include all surplus not classified as retained earnings.

Section 1375.3030 Account 3030 Retained Earnings

ILLINOIS REGISTER
ILLINOIS COMMERCE COMMISSION
NOTICE OF PROPOSED REPEALER

This account shall include the amount of accumulated earnings retained in the corporation which have been set aside for future use.

Section 1375.4010 Account 4010 Partnership Capital

a) This account shall be credited, where the business is conducted by an unincorporated firm, copartnership, or under any style other than that of an incorporated company or sole proprietorship, with the respective amounts paid into the business by the partners therein.

b) Note: Separate accounts shall be kept to show the new equity of each member of the copartnership and the transactions affecting the interest of each such partner. The total of the balances in such accounts shall be shown as one amount in the balance sheet.

Section 1375.5010 Account 5010 Sole Proprietorship Capital

a) This account shall include the investment of a sole proprietor in an unincorporated carrier.

b) Note: Separate accounts shall be kept to show the new equity of the proprietor and the transactions affecting the interest of that proprietor. The total of the balances in such accounts shall be shown as one amount in the balance sheet.

Section 1375.6010 Account 6010 Operating Revenues -- Common Carrier

This account shall include all revenue earned by the carrier from the transportation of property (including interstate, intrastate and local cartage) while operating as a common carrier.

Section 1375.6020 Account 6020 Operating Revenues -- Contract Carrier

This account shall include all revenue earned by the carrier from the transportation of property (including interstate, intrastate and local cartage) while operating as a contract carrier.

Section 1375.6030 Account 6030 Other Operating Revenue

This account shall include transportation revenues not includible in any of the foregoing revenue accounts.

ILLINOIS REGISTER
ILLINOIS COMMERCE COMMISSION
NOTICE OF PROPOSED REPEALER

Section 1375.7010 Account 7010 Officers, Owners & Partners Salaries

This account shall include the salaries, wages, bonuses, sick pay, vacation pay, holiday pay and other direct compensation paid to owners, owner's spouse, officers and partners engaged in the operation of the company.

Section 1375.7020 Account 7020 Salaries and Wages

This account shall include salaries, wages, bonuses, sick pay, vacation pay, holiday pay and other direct compensation paid to employees performing clerical or administrative functions, engaged as drivers of or helpers on revenue equipment, engaged in repairing and servicing vehicles owned, rented or leased by the carrier and other direct compensation paid to employees not included elsewhere.

Section 1375.7030 Account 7030 Payroll Taxes

This account shall include the employer's portion of Federal Insurance Contribution Act (FICA), and the employer's portion of Federal and State unemployment taxes.

Section 1375.7040 Account 7040 Payroll Fringe Benefits

This account shall include amounts paid by the carrier to health and welfare plans under agreement with employee unions or other established plans; amounts paid by the carrier to pension plans under agreement with employee unions or other established plans; and amounts paid by the carrier for life insurance under agreement with employee unions or other established plans.

Section 1375.7050 Account 7050 Other Payroll -- Related Expenses
This account shall include payroll expenses not includible in any of the foregoing payroll expense accounts.

Section 1375.7060 Account 7060 Fuel, Oil, Lubricants and Coolants
This account shall include the cost of gasoline, propane, diesel fuel and any other fuel used by revenue vehicles; and include the cost of motor oil, grease, and lubricants and coolants used by revenue vehicles.

Section 1375.7070 Account 7070 Other Operating Supplies & Expenses
This account shall include the cost of vehicle parts used in repairing the carrier's vehicles; the costs of maintaining the

ILLINOIS COMMERCE COMMISSION
NOTICE OF PROPOSED REPEALER

carrier's vehicles, including the inspection to determine the need of repairs when the maintenance is performed by public shops and garages; the cost of tires and the cost of other operating supplies and expenses used in connection with the carrier's vehicles not provided for in the foregoing account.

Section 1375.7080 Account 7080 Office Supplies & Expenses

This account shall include the cost of supplies used in connection with the administration of carrier activities (i.e. - postage, printed forms, stationery); the cost of printing and other expenses incurred in the preparation of tariff and schedules, including amounts payable to outside agencies for publishing the carrier's tariff and schedules; the cost connected with advertising for the purpose of securing traffic; and include membership dues and fees payable to the trade and professional association; commissions paid to organizations and individuals (not on the carrier's payroll) for organizing services to the carrier, miscellaneous expenses incurred for the benefit of motor carrier operations by officers and other personnel whose salaries are included in Account 7010; and the cost of supplies and expenses in connection with carrier operations not included elsewhere.

Section 1375.7090 Account 7090 Utility & Communication Expenses

This account shall include the cost of communication services used by the carrier in directing its operations and the cost of utility services consumed by the carrier in its motor carrier operations.

Section 1375.7100 Account 7100 Professional Services

This account shall include the amounts paid to outside persons for legal, accounting or consulting services and related services.

Section 1375.7110 Account 7110 Other General Supplies and Expenses

This account shall include the cost of general supplies and expenses in connection with carrier operations not included elsewhere.

Section 1375.7120 Account 7120 Fuel Taxes and Licenses

This account shall include all Federal and State fuel taxes incurred on the gasoline, propane, diesel fuel, other fuels and oil recorded in Account 7060 and the cost of Federal and State licenses and fees assessed for the privilege of operating the carrier's vehicles.

ILLINOIS COMMERCE COMMISSION
NOTICE OF PROPOSED REPEALER

Section 1375.7130 Account 7130 Other Operating Taxes & Licenses
This account shall include the amount of taxes incurred based on the value of real estate and personal property; and the amounts of other operating taxes and licenses not included elsewhere.

Section 1375.7140 Account 7140 Public Liability & Property Damage Insurance

This account shall include the cost of commercial insurance to protect the carrier against liability for deaths of or injuries to persons (other than carrier's employees) and damages to the property of others, resulting from the operation of owned and leased vehicles in motor carrier service.

Section 1375.7150 Account 7150 Cargo Loss and Damage Insurance

This account shall include the cost of commercial insurance to protect the carrier against liability for claims resulting from loss or damage, or delay of property entrusted to it for transportation or storage.

Section 1375.7160 Account 7160 Fire, Theft and Collision Insurance

This account shall include the cost of commercial insurance to protect the carrier against loss from fire, theft or collision damage to owned/leased vehicles and equipment used in the motor carrier operations, and to buildings and structures.

Section 1375.7170 Account 7170 Other Insurance Expenses

This account shall include the cost of commercial insurance to protect the carrier against liabilities and losses, the cost of which is not provided for elsewhere, and the cost of any non-reimbursed claim payments.

Section 1375.7175 Depreciation and Amortization

All depreciation and amortization must be accounted for on a straight line method, but revenue vehicles may be accounted for on either a straight line method or a mileage method.

Section 1375.7180 Account 7180 Depreciation -- Buildings and Structures

This account shall include depreciation of structures situated on owned land, including all fixtures permanently attached, and of improvements to owned land and other structures.

ILLINOIS COMMERCE COMMISSION
NOTICE OF PROPOSED REPEALER

Section 1375.7190 Account 7190 Depreciation -- Revenue Vehicles
This account shall include depreciation of revenue vehicles. Depreciation may be computed on a straight line method or a mileage method.

Section 1375.7200 Account 7200 Depreciation -- Miscellaneous
This account shall include the depreciation, not provided for elsewhere, of equipment employed in motor carrier operations.

Section 1375.7210 Account 7210 Amortization -- Leasehold Improvements
This account shall include the amortization of improvements to leasehold property installed by the carrier.

Section 1375.7220 Account 7220 Amortization -- Miscellaneous
This account shall include the amortization applicable to amounts representing the cost of acquiring:

- a) long term leasehold of land and easements used in carrier operations;
- b) fixed term motor carrier franchises;
- c) fixed term permits, licenses and patent rights; and
- d) other fixed term intangible property.

Section 1375.7230 Account 7230 Equipment Rents and Purchased Transportation
This account shall include the amounts paid to others for furnishing revenue equipment; and for payments for the transportation of individual shipments in the vehicles of another carrier when the hauling carrier retains control of the vehicle and driver.

Section 1375.7240 Account 7240 Other Rents
This account shall include the rental payments for real estate and other property (except revenue equipment) used in motor carrier operations; and other rental payments for equipment (including data processing equipment and office equipment) used in motor carrier operations.

Section 1375.7250 Account 7250 Uncollectible Revenue
This account shall include the amounts paid to others for furnishing revenue equipment; and for payments for the transportation of individual shipments in the vehicles of another carrier when the hauling carrier retains control of the vehicle and driver.

Section 1375.7260 Account 7260 Miscellaneous Expenses
This account shall include operating revenue which, after a reasonably diligent effort to collect, has proved impracticable to collect.

Section 1375.8100 Account 8100 Other Income
This account shall include other income such as dividends, interest received, et cetera.

Section 1375.8110 Account 8110 Gain or Loss on Disposition of Operating Assets -- Net
This account shall include the gain or loss on each unit of retired, sold, or traded-in operating assets. The account balance will be a net gain or a net loss.

Section 1375.8120 Account 8120 Interest Expense
This account shall include the interest charges paid on obligations of the carrier and other debt costs.

Section 1375.8130 Account 8130 Corporate Income Taxes
This account shall include the income taxes applicable to the carrier only if operation is conducted as a corporation. Individual operators or partnerships should not show personal income taxes under this item or under any other item.

Section 1375.8140 Account 8140 Other Non-operating Deductions
This account shall include other non-operating deductions not included elsewhere.

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT1) Heading of the Part: NOTICES, INSTRUCTIONS AND REPORTS TO WORKERS;
INSPECTIONS2) Code Citation: 32 Ill. Adm. Code 4003) Section Number:

400.10
Amendment
400.110
Amendment
400.120
Amendment
400.130
Amendment
400.140
Amendment
400.150
Amendment
400.160
Amendment

Proposed Action:

4) Statutory Authority: Implementing and authorized by Sections 40/16 and 40/29 of the Radiation Protection Act of 1990 (Ill. Rev. Stat. 1991, ch. 111½, par. 210-16 and 210-29) [420 ILCS 40/16 and 40/29], and Section 25/5 of the Personnel Radiation Monitoring Act (Ill. Rev. Stat. 1991, ch. 111½, par. 230.15) [420 ILCS 25/5].

5) A Complete Description of the Subjects and Issues Involved: This amendment will modify this Part to include both metric and English units of measurement; modify statutory citations so that they refer to the Illinois Compiled Statutes; and make non-substantive editorial changes. In Section 400.10, Purpose and Scope, the Department is modifying subsection (b) to clarify that the requirements of Part 400 apply to all radiation sources registered or licensed pursuant to 32 Ill. Adm. Code: Chapter II, Subchapters b and d. In addition, in Section 400.130, the Department is changing the cross-references to Sections of 32 Ill. Adm. Code 340. On April 2, 1993, the Department proposed to repeal the current version of 32 Ill. Adm. Code 340 and to replace it with a new version (See 17 Ill. Reg. 4070). The Department is now proposing to change the cross-references in Part 400 so they refer to the correct section of Part 340 as proposed on April 2, 1993. The Department is also modifying Section 400.130 to further clarify what information must be furnished to workers who are terminating employment.

6) Will this proposed amendment replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

10) Statement of Statewide Policy Objectives: The requirements imposed by the proposed rulemaking are not expected to require local governments to establish, expand, or modify their activities in such a way as to necessitate additional expenditures from local revenues.

11) Time, Place and Manner in which Interested persons may comment on this proposed rulemaking: Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice. The Department will consider fully all written comments on this proposed rulemaking submitted during the 45 day comment period. Comments should be submitted to:

Betsy Salus
Senior Staff Attorney
Department of Nuclear Safety
1035 Outer Park Drive
Springfield, Illinois 62704
(217) 785-9881 (voice)
(217) 782-6133 (TDD)

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: Not applicable
- B) Types of small businesses affected: The Department believes that these amendments impose no direct impact on any small businesses that are licensed by the Department.
- C) Reporting, bookkeeping or other procedures required for compliance: This rulemaking does not require licensees to perform reporting, bookkeeping or other procedures for achieving compliance.
- D) Types of professional skills necessary for compliance: No particular professional skills are necessary for compliance.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

TITLE 32: ENERGY
CHAPTER 11: DEPARTMENT OF NUCLEAR SAFETY
SUBCHAPTER 0: RADIATION PROTECTION

PART 400
NOTICES, INSTRUCTIONS AND REPORTS TO WORKERS; INSPECTIONS

Section
400.10
400.110
400.120
400.130
400.140
400.150
400.160
400.170

Purpose and Scope
Posting of Notices to Workers
Instructions and Reports to Workers
Notification of Representatives of Licensees or Registrants
Presence of Representatives of Licensees or Registrants
and Workers During Inspection
Consultation with Workers During Inspections
Requests by Workers for Inspections
Inspections Not Warranted; Informal Review

AUTHORITY: Implementing and authorized by Sections 40/16 and 40/29 of the Radiation Protection Act of 1990 (111. Rev. Stat. 1991, ch. 111, pars. 210-16, 210-29) [420 ILCS 40/16 and 40/29], and Section 25/5 of the Personnel Radiation Monitoring Act (111. Rev. Stat. 1991, ch. 111, par. 230.15) [420 ILCS 25/5].

SOURCE: Adopted at 10 111. Reg. 17496, effective September 25, 1986; amended at 11 111. Reg. 15629, effective September 11, 1987; amended at 13 111. Reg. 13581, effective August 11, 1989; amended at 16 111. Reg. 11531, effective July 7, 1992; amended at 111. Reg. _____, effective _____.

Section 400.10 Purpose and Scope

a) This Part establishes requirements for notices, instructions, and reports by licensees or registrants to individuals engaged in activities under a license or registration and options available to such individuals in connection with Department of Nuclear Safety (Department) inspections of licensees or registrants to ascertain compliance with the provisions of the Radiation Protection Act of 1990 (111. Rev. Stat. 1991, ch. 111, pars. 210-16, 210-29 et seq.) [420 ILCS 40/16 et seq.] (the Act) and regulations, orders, and licenses issued thereunder regarding radiological working conditions.

b) ~~The regulations in this~~ This Part shall apply to:

1) All persons who receive, possess, use, own, or transfer

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

sources of radiation registered with or licensed by the Department pursuant to 32 111. Adm. Code, 320-0-350 Chapter 11, Subchapters b and d.

- 2) Inspection and testing of radiation machines and associated operating procedures by Departmental inspectors or by qualified nondepartment inspectors whose names are included in the department record of individuals approved as qualified nondepartment inspectors of radiation machines pursuant to 32 111. Adm. Code 410.
- 3) Inspection of licensed activities by Departmental inspectors.

(Source: Amended at 111. Reg. _____, effective _____)

Section 400.110 Posting of Notices to Workers

a) Each licensee or registrant shall post current copies of the following documents:

- 1) ~~the regulations~~ The provisions in this Part and in 32 111. Adm. Code 340;
 - 2) ~~The~~ certificate of registration, the license, the license conditions, and any documents incorporated into the license by reference and amendments thereto;
 - 3) ~~The~~ operating procedures applicable to activities under the license or registration; and
 - 4) ~~any~~ notice of violation involving radiological working conditions, proposed imposition of civil penalty, or order issued pursuant to 32 111. Adm. Code 310, and any response from the licensee or registrant.
- b) If the posting of a document specified in subsections (a)(1), (2), or (3) above is not practicable, the licensee or registrant may post a notice which describes the documents and states where they may be examined.

c) Department Form KLA-001 "Notice to Employees" shall be posted by each licensee or registrant.

d) Department documents posted pursuant to subsection (a)(4) above shall be posted within ~~five (5)~~ working days after receipt of the

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

documents from the Department; the licensee's or registrant's response, if any, shall be posted within five (5) working days after dispatch from the licensee or registrant. Such documents shall remain posted for a minimum of five (5) working days or until action correcting the violation has been completed, whichever is later.

- e) Documents, notices, or forms posted pursuant to this Section shall appear in a sufficient number of places to permit individuals engaged in work under the license or registration to observe them on the way to or from any particular work location to which the document applies, shall be conspicuous, and shall be replaced if defaced or altered.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 400.120 Instructions to Workers

- a) All individuals working in, or the performance of whose duties requires access to any portion of a restricted area:

- 1) s) Shall be kept informed of the storage, transfer, or use of sources of radiation in such portions of the restricted area;
- 2) s) Shall be instructed in the health protection problems associated with exposure to radiation or radioactive material, in the risks of radiation exposure to the embryo and fetus, in precautions or procedures to minimize exposure, and in the purposes and functions of protective devices employed;
- 3) s) Shall be instructed in, and instructed to observe to the extent within the worker's control, the conditions of the license, the provisions of this Part and 32 Ill. Adm. Code: Chapter II, Subchapters b and d for the protection of personnel from exposures to radiation or radioactive material occurring in such areas;
- 4) s) Shall be instructed to report promptly to the licensee or registrant any condition which may constitute, lead to, or cause a violation of the Act, the conditions of the license, the provisions of this Part or 32 Ill. Adm. Code: Chapter II, Subchapters b and d or unnecessary exposure to radiation or radioactive material;

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

- 5) s) Shall be instructed in the appropriate response to warnings made in the event of any unusual occurrence or malfunction that may involve exposure to radiation or radioactive material; and
 - 6) s) Shall be advised as to the radiation exposure reports which workers shall be furnished pursuant to Section 400.130.
- b) These instructions shall be of sufficient detail to avoid radiological health protection problems and shall be given directly to each worker either in writing or in an orientation course, with the workers signing a statement that they have received the above information and understand it.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 400.130 Notifications and Reports to Individuals

- a) Radiation exposure data for an individual and the results of any measurements, analyses, and calculations of radioactive material reported to, and by, the body of an individual shall be reported to the individual in accordance with this Section. The information reported shall include date and results obtained pursuant to this Part, order of license conditions as shown in records maintained by the licensee or registrant pursuant to 32 Ill. Adm. Code 340.401(a)-(d) and 340.1130(b)(1), (2), and (3); 340.1140(a); 340.1150(a) and 340.1160(a) and (d). Each notification and report shall:

- 1) b) be in writing;
- 2) i) Include the name of the licensee or registrant, the name of the individual, and the individual's social security number;
- 3) i) Include the individual's exposure information; and
- 4) e) Contain the following statement:

"This report is furnished to you under the provisions of the Department of Nuclear Safety Regulations for Radiation Protection (32 Ill. Adm. Code 400). You should preserve this report for further reference."

- b) ~~At the request of a worker,~~ the licensee or registrant shall advise each worker annually of the worker's exposure to radiation or radioactive material as shown in records maintained by the

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF PROPOSED AMENDMENT

licensee or registrant pursuant to 32 Ill. Adm. Code 340-4010(e) and (e) 340.1130(b)(1), (2) and (3); 340.1140(a); 340.1150(a) and 340.1160(a) and (d).

- c) At the request of a worker, each licensee or registrant shall furnish to the worker upon termination of employment a report of the worker's exposure to radiation or radioactive material upon termination of employment for each year the worker was required to be monitored pursuant to 32 Ill. Adm. Code 340.520. Such report shall be furnished within 30 days from the time the request is made, or within 30 days of termination of employment, or within 30 days after exposure of the individual has been determined by the licensee or registrant, whichever is later. The report shall cover each calendar quarter in which the worker's activities involved exposure to sources of radiation all periods of time in which the worker was required to be monitored pursuant to 32 Ill. Adm. Code 340.520 and shall include the dates and locations of work under the license or registration in which the worker participated.

- d) When a licensee or registrant is required pursuant to 32 Ill. Adm. Code 340-4050 340.1230 to report to the Department any exposure of an individual to radiation or radioactive material, the licensee or the registrant shall also provide the individual a report on the exposure data included therein. Such reports shall be transmitted at a time not later than the transmittal to the Department.

- e) At the request of a worker who is terminating employment in a given calendar quarter with the licensee or registrant in work involving radiation dose during the current year or of a worker who while employed by another person is terminating a work assignment to work involving radiation dose in the licensee's or registrant's facility in that calendar quarter during the current year, each licensee or registrant shall provide to each such worker, or to the worker's designee, at termination, a written report regarding the radiation dose received by that worker from operations of the licensee or registrant during that specifically identified calendar quarter the current year or fraction thereof, or provide a written estimate of that dose if the finally-determined personnel monitoring results are not available at that time. Estimated doses shall be clearly indicated as such. If an estimate of dose is provided, the actual radiation exposure records shall be provided to the worker when these records become available to the licensee or registrant.

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF PROPOSED AMENDMENT

(Source: Amended at ___ Ill. Reg. ____, effective ____.)
Section 400.140 Presence of Representatives of Licensees or Registrants and Workers During Inspection

- a) Pursuant to Section 400.160 and 32 Ill. Adm. Code 310.50, each licensee or registrant shall afford the Department at all reasonable times the opportunity to inspect such materials, machines, activities, facilities, premises, and records as the Department determines are necessary to establish compliance with the requirements of the license and the provisions of 32 Ill. Adm. Code: Chapter II, Subchapters b and d. Reasonable times shall be any time the facility is operational. The inspection may be announced or unannounced. Materials licensees shall be inspected at least as frequently as they would have been inspected by the U.S. Nuclear Regulatory Commission (U.S.-NRC) if the licensees were regulated by the U.S.-NRC, but no more frequently than once in a calendar quarter. Radiation machines shall be inspected in accordance with the provisions of Sections 8-11 40/27 and 8-13 40/29 of the Act. Inspection of licensees and radiation machines may be conducted more frequently than once per calendar quarter if, in the past three years, there has been a condition at the facility which required emergency response; or if the Department has received a complaint, the investigation of which will result in a more frequent inspection; or if the Department has documented a violation of the Act or the above referenced rules of the Department at the facility and additional inspections are necessary to establish that the violation has been abated.

- b) During an inspection, Departmental and qualified nondepartment inspectors may consult privately with workers as specified in Section 400.150. The licensee or registrant may accompany Departmental and qualified nondepartment inspectors during other phases of an inspection.

- c) If, at the time of inspection, an individual has been authorized by the workers to represent them during inspections, the licensee or registrant shall notify the Department or qualified nondepartment inspector of such authorization and shall give the workers representative an opportunity to accompany the inspectors during the inspection or physical working conditions.

- d) Each workers' representative shall be routinely engaged in work under control of the licensee or registrant and shall have received instructions as specified in Section 400.120.

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF PROPOSED AMENDMENT

- e) Different representatives of licensees or registrants and workers may accompany the Departmental or qualified nondepartment inspectors during different phases of an inspection if there is no resulting interference with the conduct of the inspection. However, only one workers' representative at a time may accompany the inspectors.
- f) With the approval of the licensee or registrant and the workers' representative, an individual who is not routinely engaged in work under control of the licensee or registrant, for example, a consultant to the licensee or registrant or to the workers' representative, shall be afforded the opportunity to accompany Departmental and qualified nondepartment inspectors during the inspection of physical working conditions.
- g) Notwithstanding the other provisions of this Section, Departmental inspectors and qualified nondepartment inspectors are authorized to refuse to permit accompaniment by any individual who deliberately interferes with a fair and proper inspection. With regard to areas containing information classified by an agency of the U.S. Government in the interest of national security, such individual who accompanies an inspector must be accorded such information only as is authorized to be disclosed to any area containing proprietary information, i.e., trade secrets and privileged or confidential information, where such information is disclosed or confidential or where disclosure of such information may cause competitive harm. The workers' representative for that area shall be an individual previously authorized by the licensee or registrant to enter that area.

(Source: Amended at __ Ill. Reg. ____, effective ____)

Section 400.150 Consultation with Workers During Inspections

- a) Departmental and qualified nondepartment inspectors may consult privately with workers concerning matters of occupational radiation protection and other matters related to the activities of the licensee or registrant which bear upon compliance with the conditions of the license or the provisions of this Part or 32 Ill. Adm. Code: Chapter II, Subchapters b and d.
- b) During the course of an inspection, or at any other time, any worker may bring privately to the attention of the Department, its inspectors or qualified nondepartment inspectors, either orally or in writing, any past or present condition which the worker has reason to believe may have contributed to or caused any violation

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF PROPOSED AMENDMENT

of the Act, the provisions of this Part or 32 Ill. Adm. Code: Chapter II, Subchapters b and d or license condition, or any unnecessary exposure of an individual to sources of radiation under the licensee's or registrant's control. Any such notice in writing shall comply with the requirements of Section 400.160(a). If a worker seeks an opportunity to speak to an inspector during an inspection, the licensee or registrant shall permit the worker such opportunity.

AGENCY NOTE: The provisions of subsection (b) above shall not be interpreted as authorization to disregard instructions pursuant to Section 400.120.

(Source: Amended at __ Ill. Reg. ____, effective ____)

Section 400.160 Requests by Workers for Inspections

- a) Any worker or representative of workers believing that a violation of the Act, the provisions of this Part or 32 Ill. Adm. Code: Chapter II, Subchapters b and d or license conditions exists or has occurred, material has occurred in work under a license or radiation with regard to radiological working conditions or registration with regard to radiological working conditions in which the worker is engaged, may request an inspection by giving notice of the alleged violation to the Department. Any such notice shall be in writing, shall set forth the circumstances describing the perceived violation or condition, and shall be signed by the worker or representative of the workers. A copy of the notice shall be provided to the licensee or registrant by the Department no later than at the time of inspection except that, upon the request of the worker giving such notice, his name and the name of individuals referred to therein shall not appear in such copy or on any record published, released, or made available by the Department, except for good cause shown, such as when necessary in the course of enforcement actions.
- b) If conditions stated on the face of the complaint indicate there is or has been a violation or the possibility of a violation, the Department shall conduct an inspection as soon as practicable to determine if such alleged violation exists or has occurred. Inspections made pursuant to this Section need not be limited to matters referred to in the complaint.
- c) No licensee or registrant shall discharge or in any manner discriminate against any worker because such worker has filed any complaint or instituted or caused to be instituted any proceedings

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

under this Part or has testified or is about to testify in any such proceeding or because of the exercise by such worker on behalf of himself or others of any option afforded by this Part. Furthermore, each licensee and registrant shall instruct his contractors and subcontractors not to discharge or in any manner discriminate against any worker because such worker has filed any complaint or instituted or caused to be instituted any proceedings under this Part or has testified or is about to testify in any such proceeding or because of the exercise by such worker on behalf of himself or others of any option afforded by this Part. Any worker who believes that he has been so discharged or discriminated against may file a complaint with the Department alleging a violation of this subsection.

(Source: Amended at __ 111. Reg. __, effective ____.)

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT1) Heading of the Part: PARTICLE ACCELERATORS2) Code Citation: 32 Ill. Adm. Code 3903) Section Number:

390.20

390.30

390.40

390.50

390.60

390.70

Proposed Action:
Amendment
Amendment
Amendment
Amendment
Amendment

4) Statutory Authority: Implementing and authorized by the Radiation Protection Act of 1990 (111. Rev. Stat. 1991, ch. 111, par. 210-1 et seq.) [420 ILCS 40/1 - 40/44].5) A Complete Description of the Subjects and Issues Involved: This amendment will modify this Part to include both metric and English units of measurements; modify statutory citations so that they refer to the Illinois Compiled Statutes; and make non-substantive editorial changes. In addition, this amendment will add a definition for the term "Qualified Expert," (Section 390.20). This amendment will also modify Section 390.50, "Radiation Monitoring" to clarify that thermoluminescent dosimeters (TLD's) may be used to monitor radiation exposure to individuals entering a restricted area.6) Will this proposed amendment replace an emergency rule currently in effect? No7) Does this rulemaking contain an automatic repeal date? No8) Does this proposed amendment contain incorporations by reference? No9) Are there any other proposed amendments pending on this Part? No10) Statement of Statewide Policy Objectives: The requirements imposed by the proposed rulemaking are not expected to require local governments to establish, expand, or modify their activities in such a way as to necessitate additional expenditures from local revenues.11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice. The Department will consider fully all written comments on this proposed rulemaking submitted during the 45 day comment period. Comments should be submitted to:

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

Betsy Salus
Senior Staff Attorney
Department of Nuclear Safety
1035 Outer Park Drive
Springfield, Illinois 62704
(217) 785-9881 (voice)
(217) 782-6133 (TDD)

2) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: Not applicable
- B) Types of small businesses affected: The Department believes that these amendments impose no direct impact on any small businesses that are licensed by the Department.
- C) Reporting, bookkeeping or other procedures required for compliance: This rulemaking does not require registrants to perform reporting, bookkeeping or other procedures for achieving compliance.
- D) Types of professional skills necessary for compliance: No particular professional skills are necessary for compliance.

The full text of the Proposed Amendment begins on the next page.

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

TITLE 32: ENERGY
CHAPTER 11: DEPARTMENT OF NUCLEAR SAFETY
SUBCHAPTER b: RADIATION PROTECTION

PART 390
PARTICLE ACCELERATORS

Section	Scope
390.10	Definitions
390.20	Operating Procedures and Instructions
390.30	Equipment Controls
390.40	Radiation Monitoring
390.50	Radiation Surveys
390.60	Minimum Personnel Training of Particle Accelerator Operators
390.70	

AUTHORITY: Implementing and authorized by the Radiation Protection Act of 1990 (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 210-1 et seq.) [420 ILCS 40/1 - 40/44].

SOURCE: Filed and effective April 20, 1974, by the Department of Public Health; transferred to the Department of Nuclear Safety by P.A. 81-1516, effective December 3, 1980; codified at 7 Ill. Reg. 11281; amended at 111. Reg. _____, effective _____.

Section 390.20 Definitions

As used in this Part:

- a) "Accelerator Facility" means the location at which one or more particle accelerators are installed within one building or under one roof and are operated under the same administrative control.
 - b) "Particle Accelerator" means any device other than an x-ray machine which emits ionizing radiation as a result of the acceleration of charged particles. Examples are cyclotrons, betatrons, electron linear accelerators, and potential drop accelerators.
- "Qualified expert" means an individual who has demonstrated to the satisfaction of the Department that he or she possesses the knowledge and training to measure ionizing radiation, to evaluate safety techniques and to advise regarding radiation protection

ILLINOIS REGISTER
DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

needs. Satisfactory demonstration of such knowledge and training should include certification by a nationally recognized credentialing entity in the field of radiation protection.

(Source: Amended at ___ Ill. Reg. ___, effective ___/___/___)

Section 390.30 Operating Procedures and Instructions

- a) Each registrant shall inform individuals working in or frequenting any portion of a restricted area as to the presence of radiation or radioactive materials; instruct such individuals in safety problems associated therewith and in precautions or procedures to minimize radiation exposure; instruct such individuals in the provisions of Department regulations for the protection of personnel from exposures to radiation; and shall advise such individuals of reports of radiation exposure which those individuals may request pursuant to this Part.
- b) Each particle accelerator facility shall be under the administrative control of a radiation protection officer or radiation safety committee who will be responsible for the safe operation of the accelerator.

- c) Written operating and emergency procedures as well as specified safety rules shall be established for each accelerator facility and approved by the radiation protection officer.

- d) ~~Registrants and maintenance personnel~~ Personnel who operate or maintain particle accelerators shall be familiar with and have available a copy of the written operating and emergency procedures.

- e) No individual shall be permitted to act as an "operator" of or operate or maintain an accelerator until such person individual has received at least the minimum training specified in Section 390.70.

- f) Modification, repairs, or preventive maintenance on accelerator components or safety interlocks may be performed only by or under the direct supervision of persons individuals who have received at least the minimum training specified in Section 390.70.

- g) Provisions shall be made at each accelerator control console to display the operator's name of the individual who is authorized to operate the accelerator. Only the operator individual whose name

ILLINOIS REGISTER
DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

is displayed may turn on the accelerator or open entrances to High Radiation Areas high radiation areas.

- h) The radiation safety officer shall maintain a current list of all operators and technical personnel who are qualified to operate or service the particle accelerator.

- i) No registrant shall permit a particle accelerator to operate at any time with a safety interlock bypassed, except for necessary testing. Upon such circumvention of an interlock, the registrant shall maintain records showing the date and reasons for bypassing the interlock. A sign shall be posted at the personnel entrance door being bypassed and this condition terminated as soon as possible.

- j) Additional Requirements—~~These~~ The Department may, by rule, regulation, or order impose additional requirements on registrants in addition to those established in this Part, as it deems appropriate or necessary to minimize danger to public health and safety or property.

(Source: Amended at ___ Ill. Reg. ___, effective ___/___/___)

Section 390.40 Equipment Controls

- a) All meters and controls on the accelerator control console shall be clearly identified and easily discernible. Accelerator control consoles shall be equipped with a keyswitch or other device which will render the console inoperative when the key or device is removed. Only one key shall be available to the operating crew.

- b) All entrances into a target room or other high radiation area shall be provided with a minimum of two personnel interlocks.

- c) The interlock system shall be designed to prevent restarting of the accelerator without manually resetting the accelerator "ON" switch at the control console after the tripping of a shielding interlock or a power failure. At the time of such an occurrence, the registrant is required to resurvey the radiation area prior to reactivation of the accelerator. Records documenting the circumstances surrounding such occurrences shall be maintained for review by ~~the~~ the Department.

- d) A scram or panic button or other emergency power cut-off switch shall be located and easily identifiable in all accessible high radiation areas. A visible and/or audible signal system shall be

DEPARTMENT OF NUCLEAR SAFETY
 NOTICE OF PROPOSED AMENDMENT

installed within the protective enclosure which will be activated for a reasonable length of time before the power to the accelerator can be activated.

- e) Electrical circuit diagrams of the accelerator and the associated interlock system shall be kept current and on file at each accelerator facility.
- f) All safety and warning devices, including interlocks, shall be checked and appropriately serviced each month. A log and written records of these tests shall be kept by the registrant and made available for inspection by the Department.

(Source: Amended at __ III. Reg. ____, effective ____)

Section 390.50 Radiation Monitoring

- a) Portable radiation monitoring equipment ~~must~~ shall be properly maintained and available at the accelerator facility. An appropriate radiation monitor shall be used for all accelerator target rooms and other high radiation areas. This monitor shall be one or more of the following:

- 1) An area monitor with an easily observable indicator located near the entrance that warns of radiation levels above a predetermined limit;
- 2) A personal radiation monitor of ~~the~~ the "chirpie" type worn while in the room;
- 3) A portable survey instrument carried into the room; or
- 4) A monitor approved by the Department.

- b) No registrant shall permit any person individual to enter a restricted area unless each person such individual wears a film badge or thermoluminescent dosimeter (TLD) and a pocket dosimeter ionization chamber. Pocket dosimeters ionization chambers shall be capable of measuring doses from zero to at least 200 milliroentgens (51.6 μ R/Kg (200 mR)). A film badge or thermoluminescent dosimeter (TLD) shall be assigned to and worn by only one person individual and shall be capable of registering ~~to~~ Roentgens 2.58 mC/Kg (10 R) or greater.

(Source: Amended at __ III. Reg. ____, effective ____)

 DEPARTMENT OF NUCLEAR SAFETY
 NOTICE OF PROPOSED AMENDMENT

Section 390.60 Radiation Surveys

- a) The registrant shall maintain sufficient calibrated and operable radiation survey instruments to make physical radiation surveys as required by the Department. Each radiation survey instrument shall be checked every ~~three~~ 3 months and calibrated ~~once a~~ at intervals not to exceed 1 year. After each instrument servicing, a record shall be maintained of the latest response check or calibration date.
- b) Before a new accelerator with its associated components is placed in routine operation, a radiation protection survey shall be made by a qualified expert and a copy of the results submitted to the Department.
- c) The area surrounding a particle accelerator and associated components shall be surveyed at intervals not to exceed ~~three~~ 3 months. A record shall be made of the accelerator operating conditions and radiation levels measured at specific control points. These control points must be well defined and reported on at least four consecutive surveys. One of these control points must be at the normal work station of the ~~operator~~ individual who operates the accelerator. These records shall be made available for inspection by the Department.

(Source: Amended at __ III. Reg. ____, effective ____)

Section 390.70 Minimum Personnel Training of Particle Accelerator Operators

- a) The registrant shall ensure that all personnel who operate particle accelerators:

- a) ~~All operators shall be instructed Receive instruction in the fundamentals of radiation safety including:~~

- 1) A) Characteristics of beta, gamma and x-radiation~~...~~
- 2) B) Units of radiation dose ~~equivalent (rem)~~ (mrem) (sievert or rem)~~...~~
- 3) C) Hazards of excessive exposure to radiation~~...~~
- 4) D) Levels of radiation from particle accelerators~~...~~ and

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

- 5) E) Methods used to ~~prevent radiation exposure limit~~ radiation doses at the specific facility to be operated, including:
- A) i) Shielding;
 - B) ii) Interlock systems;
 - C) iii) Safety rules; and
 - D) iv) Radiation monitoring equipment.
- 6) 2) ~~All operators shall be instructed to receive instruction in the use and care of personnel individual monitoring equipment-employed devices used at the facility.~~
- 7) 3) Are knowledgeable of:
- A) All operators shall be familiar with the location and use of all operating controls;
 - B) All operators shall be familiar with the pertinent requirements of pertinent State regulations 32 Ill. Adm. Code: Chapter II, Subchapter B; and
 - C) All operators shall be familiar with the registrant's written operating and emergency procedures.
- 8) 4) ~~All operators shall receive~~ Receive at least ~~one~~ 1 month of on-the-job training before assuming operational responsibility.
- 9b) All operator's assistants or helpers shall receive the training listed in ~~paragraphs~~ subsections (a)(1) through (e)(3) of ~~this section~~ above.

(Source: Amended at Ill. Reg. , effective)DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: RADIATION SAFETY REQUIREMENTS FOR WIRELINE SERVICE OPERATIONS AND SUBSURFACE TRACER STUDIES
- 2) Code Citation: 32 Ill. Adm. Code 351
- 3) Section Number:
- 351.10 Proposed Action:
 - 351.40 Amendment
 - 351.1010 Amendment
 - 351.1040 Amendment
 - 351.1050 Amendment
 - 351.1060 Amendment
 - 351.1070 Amendment
 - 351.1080 Amendment
 - 351.1090 Amendment
 - 351.1100 Amendment
 - 351.2010 Amendment
 - 351.2020 Amendment
 - 351.2030 Amendment
 - 351.3030 Amendment
 - 351.3040 Amendment
 - 351.4010 Amendment
 - 351.4020 Amendment
 - 351.4030 Amendment
 - 351.5010 Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 40/9 and 40/11 of the Radiation Protection Act of 1990 (111. Rev. Stat. 1991, ch. 111, par. 210-9 and 210-11) [420 ILCS 40/1 - 40/44], and Section 25/5 of the Personnel Radiation Monitoring Act (111. Rev. Stat. 1991, ch. 111, pars. 230.10 - 230.15) [420 ILCS 25/0.01 - 25/5].

5) A Complete Description of the Subjects and Issues Involved: This amendment will modify this Part to include both metric and English units in measurements; modify statutory citations so that they refer to the Illinois Compiled Statutes; and make non-substantive editorial changes. It will amend, in Sections 351.1040; 351.1060; 351.1090; 351.3040 and 351.5010, the Department's changing the city references to specific sections of 32 Ill. Adm. Code 340. On April 30, 1993, the Department proposes to repeal the current version of 32 Ill. Adm. Code 340 and to replace it with a new version (See 111. Reg. 4070). The Department is now proposing to change the cross-referenced in Part 351 to refer to the correct sections of Part 340, as proposed on April 2, 1993. Lastly, the Department is proposing to delete the language in Section 351.1050 regarding leak testing and replace it with a cross reference to

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

proposed 32 Ill. Adm. Code 340.410 (17 Ill. Reg. 4094) regarding testing for leakage or contamination of sealed sources.

6) Will this proposed amendment replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? Yes, the proposed amendment incorporates by reference the testing requirements contained in United States of America Standard Institute, Standard No. N5.10-1968 and American National Standard Institute, Standard No. N542-1977.

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: The requirements imposed by the proposed rulemaking are not expected to require local governments to establish, expand, or modify their activities in such a way as to necessitate additional expenditures from local revenues.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice. The Department will consider fully all written comments on this proposed rulemaking submitted during the 45 day comment period. Comments should be submitted to:

Betsy Salus
Senior Staff Attorney
Department of Nuclear Safety
1035 Outer Park Drive
Springfield, Illinois 62704
(217) 785-9881 (voice)
(217) 782-6133 (TDD)

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: Not applicable

B) Types of small businesses affected: The Department believes that these amendments impose no direct impact on any small businesses that are licensed by the Department.

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

C) Reporting, bookkeeping or other procedures required for compliance: This rulemaking does not require licensees to perform reporting, bookkeeping or other procedures for achieving compliance.

D) Types of professional skills necessary for compliance: No particular professional skills are necessary for compliance.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

TITLE 32: ENERGY
CHAPTER II: DEPARTMENT OF NUCLEAR SAFETY
SUBCHAPTER b: RADIATION PROTECTION

PART 351
RADIATION SAFETY REQUIREMENTS FOR WIRELINE
SERVICE OPERATIONS AND SUBSURFACE TRACER STUDIES

Section	Purpose
351.10	Scope
351.20	Definitions
351.30	Prohibition
351.40	Limits on Levels of Radiation
351.1010	Storage Precautions
351.1020	Transport Precautions
351.1030	Radiation Survey Instruments
351.1040	Leak Testing for Leakage or Contamination of Sealed Sources
351.1050	Quarterly Inventory
351.1060	Utilization Records
351.1070	Design and Performance Criteria for Sealed Sources Used in Downhole Operations
351.1080	Labeling
351.1090	Inspection and Maintenance
351.1100	Training Requirements
351.2010	Operating and Emergency Procedures
351.2020	Personnel Monitoring
351.3010	Security
351.3020	Handling Tools
351.3030	Subsurface Tracer Studies
351.3040	Particle Accelerators
351.4010	Radiation Surveys
351.4020	Documents and Records Required at Field Stations
351.4030	Documents and Records Required at Temporary Job Sites
351.5010	Notification of Incidents, Abandonment, and Lost Sources
351.5010	Subjects To Be Included In Training Courses For Logging Supervisors
351.5010	Example of Plaque for Identifying Wells Containing Sealed Sources Containing Radioactive Material Abandoned Downhole

351-APPENDIX B
AUTHORITY: Implementing and authorized by Sections 6 40/9 and 6b 40/11 of the Radiation Protection Act of 1990 (Ill. Rev. Stat. 1989 1991, ch. 111, pars. 216 210-9 and 216b 210-11), 1420 ILCS 40/9 and 40/11 and Section 25/5 of 444 Act in relation to personnel radiation monitoring the Personnel Radiation

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

Monitoring Act (Ill. Rev. Stat. 1989 1991, ch. 111h, par. 230.15) 1420 ILCS 25/0.01 - 25/51.

SOURCE: Adopted at 10 Ill. Reg. 17507, effective September 25, 1986; amended at 11 Ill. Reg. 5215, effective March 13, 1987; amended at 13 Ill. Reg. 13605, effective August 11, 1989; amended at 14 Ill. Reg. 13633, effective August 13, 1990; amended at 111. Reg. _____, effective _____.

Section 351.10 Purpose

The regulations in this Part establish radiation safety requirements for persons individuals using sources of radiation for wireline service operations, including mineral logging, radioactive markers, and subsurface tracer studies. The requirements of this Part are in addition to, and not in substitution for, the requirements of 32 Ill. Adm. Code: 310-320, 330-340, and 400 Chapter II, Subchapters b and d.

(Source: Amended at 111. Reg. _____, effective _____.)

Section 351.40 Prohibition

No licensee or registrant shall perform wireline service operations with a sealed source(s) unless, prior to commencement of the operation, the licensee has a written agreement with the well operator, well owner, drilling contractor, or land owner that:

- In the event a sealed source is lodged downhole, efforts at recovery will be made that are commensurate with the circumstances of the specific case, e.g., quantity and half-life of the isotope, depth of the source and presence of potable water aquifers; and
- In the event a decision is made to abandon the sealed source down-hole, the requirements of Section 351.5010(c) shall be met within 30 days after a decision by the licensee to abandon the source has been approved by the Department of Nuclear Safety (Department).

(Source: Amended at 111. Reg. _____, effective _____.)

Section 351.1010 Limits on Levels of Radiation

Sources of radiation shall be used, stored, and transported in such a manner that the transportation requirements of 32 Ill. Adm. Code 330 331 and the dose limitation requirements of 32 Ill. Adm. Code 340 are met.

(Source: Amended at 111. Reg. _____, effective _____.)

DEPARTMENT OF NUCLEAR SAFETY

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF PROPOSED AMENDMENT

NOTICE OF PROPOSED AMENDMENT

Section 351.1040 Radiation Survey Instruments

- a) The licensee or registrant shall maintain sufficient calibrated and operable radiation survey instruments at each field station to make physical radiation surveys as required by this Part and by 32 Ill. Adm. Code 340-2040 340.310(a). Instrumentation shall be capable of measuring ~~0.1 microcuries (3.7 MBq)~~ ~~25.8 mCi/kg (100 MBq)~~ per hour through at least ~~60 milliroentgens (0.16 mR) (6.75 μC/kg)~~ ~~5.16 μC/kg (20 mR)~~ per hour.
- b) Each radiation survey instrument shall be calibrated:
 - 1) at intervals not to exceed six (6) months and after each instrument servicing (e.g., electronic repair);
 - 2) at energies and radiation levels equivalent to those to be encountered during use; and
 - 3) ~~so~~ that accuracy within plus or minus 20 percent of the true radiation level can be demonstrated on each scale.
- c) Calibration records shall be maintained for a period of ~~two (2)~~ years for inspection by the Department.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 351.1050 Leak Testing for Leakage or Contamination of Sealed Sources

- a) ~~Requirements~~ Each licensee or registrant using sealed sources of radioactive material shall have the sources tested for leakage. Records of leak test results shall be kept in units of microcuries and maintained for inspection by the Department for two (2) years after the next required leak test is performed or until transfer ~~or until~~ ~~of the sealed source~~.
- b) ~~Method of Testing.~~ Tests for leakage shall be performed only by persons specifically authorized to perform such tests by the Department, the U.S. Nuclear Regulatory Commission, an Agreement State, or a licensing State. The test sample shall be taken from the surface of the source. Source holder or from the surface of the device in which the source is stored or mounted and on which one might expect contamination to accumulate. The test sample shall be analyzed for radioactive contamination, and the analysis shall be capable of detecting the presence of 0.005 microcurie ~~(0.185 Bq)~~ of radioactive material on the test sample.

- e) ~~Interval of Testing.~~ Each sealed source of radioactive material shall be tested at intervals not to exceed six (6) months. In the absence of a certificate from a transferor indicating that a test has been made prior to the transfer, the sealed source shall not be put into use until tested. If, for any reason, it is suspected that a sealed source may be leaking, it shall be removed from service immediately and tested for leakage.
- f) ~~Leaking or Contaminated Sources.~~ If the test reveals the presence of 0.005 microcurie (0.185 Bq) or more of leakage or contamination, the licensee shall immediately withdraw the source from use and shall cause it to be decontaminated, repaired, or disposed of in accordance with this Part. A report describing the equipment involved, the test results, and the corrective action taken shall be filed with the Department.

- e) ~~Exemptions.~~ The following sources are exempted from the periodic leak test requirements of Section 351.1050(a) through (d):

- 1) ~~hydrogen-3 sources;~~
- 2) ~~sources of radioactive material with a half-life of 30 days or less;~~
- 3) ~~sealed sources of radioactive material in gaseous form;~~
- 4) ~~sources of beta- and/or gamma-emitting radioactive material with an activity of 100 microcuries (3.7 MBq) or less; and~~
- 5) ~~sources of alpha-emitting radioactive material with an activity of 10 microcuries (0.370 MBq) or less.~~

Testing for leakage or contamination of sealed sources shall be performed in accordance with 32 Ill. Adm. Code 340.410. Test samples shall be taken from the surfaces of sources or source holders or from the surfaces of devices in which sources are mounted and on which one might expect contamination to accumulate.

(Source: Amended at ___ Ill. Reg. ___, effective ___)
Section 351.1060 Quarterly Inventory

Each licensee or registrant shall conduct a quarterly physical inventory to account for all sources of radiation. If all sources are not accounted for during the inventory, the licensee or registrant shall notify the Department in accordance with the requirements of 32 Ill. Adm. Code 340-4020 340.1210.

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF PROPOSED AMENDMENT

Records of inventories shall be maintained for ~~two (2)~~ years from the date of inventory for inspection by the Department and shall include the quantities and kinds of sources of radiation, the location where sources of radiation are assigned, the date of the inventory, and the name of the individual conducting the inventory.

(Source: Amended at Ill. Reg. _____, effective _____)

Section 351.1070 Utilization Records

Each licensee or registrant shall maintain current records, which shall be kept available for inspection by the Department for ~~two (2)~~ years from the date of the recorded event, showing the following information for each source of radiation:

- Make, model number, and a serial number or a description of each source of radiation used;
- The identity of the well-logging supervisor or field unit to whom assigned;
- Locations where used and dates of use; and
- In the case of tracer materials and radioactive markers, the utilization record shall indicate the radionuclide and activity used in a particular well.

(Source: Amended at Ill. Reg. _____, effective _____)

Section 351.1080 Design and Performance Criteria for Sealed Sources Used in Downhole Operations

- A licensee may not use a sealed source in well-logging unless:

- The sealed source is doubly encapsulated;
- The sealed source contains radioactive material whose chemical and physical forms are insoluble and non-dispersible; and
- A prototype of the sealed source has been tested and meets the performance standards for oil well-logging sources contained in either the United States of America Standards Institute (USASI) Standard No. N5-10-1968 or the American National Standards Institute (ANSI) Standard No. N542-1977

ILLINOIS REGISTER

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF PROPOSED AMENDMENT

(1978 edition), exclusive of subsequent amendments or editions.

AGENCY NOTE: A copy of USASI Standard No. N5-10-1968 and ANSI Standard No. N542-1977 ~~are~~ is available for public inspection at the Department's ~~Offices of Nuclear Safety,~~ 1035 Outer Park Drive, Springfield, Illinois.

- The requirements of subsection (a) above do not apply to sealed sources that contain licensed material in gaseous form.

(Source: Amended at Ill. Reg. _____, effective _____)
Section 351.1090 Labeling

- Sources, Source Holders, or Logging Tools

- Each source, source holder, or logging tool containing radioactive material shall bear a durable, legible, and clearly visible marking or label which has, as a minimum, the standard radiation caution symbol (as described in 32 Ill. Adm. Code 340-2030 340.910), without the conventional color requirement, and the following wording:

DANGER*
RADIOACTIVE

*AGENCY NOTE: or CAUTION.

- This labeling shall be on every component transported as a separate piece of equipment.

- Transport Containers. Each transport container shall have permanently attached to it a durable, legible, and clearly visible label which has, as a minimum, the standard radiation caution symbol (as described in 32 Ill. Adm. Code 340-2030 340.910) and the following wording:

DANGER*
RADIOACTIVE

NOTIFY CIVIL AUTHORITIES (OR NAME OF COMPANY)

*AGENCY NOTE: or CAUTION.

(Source: Amended at Ill. Reg. _____, effective _____)

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

Section 351.1100 Inspection and Maintenance

- a) Each licensee or registrant shall conduct, at intervals not to exceed ~~4~~ 6 months, a program of inspection and maintenance of source holders, logging tools, source handling tools, storage containers, transport containers, and injection tools to assure proper labeling and physical condition. Records of inspection and maintenance shall be maintained for a period of ~~two (2)~~ years for inspection by the Department.
- b) If any inspection conducted pursuant to ~~Section 351.1100(a)~~ subsection (a) above reveals damage to labeling or components which could result in release of radioactive material into the environment, or loss of control of radioactive material, or which could otherwise create a risk of increase in radiation exposure, the device shall be removed from service until repairs have been made.
- c) The repair, opening, or modification of any sealed source shall be performed only by persons specifically authorized to do so by the Department, the U.S. Nuclear Regulatory Commission, an Agreement State, or a Licensing State.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 351.2010 Training Requirements

- a) No licensee or registrant shall permit any individual to act as a logging supervisor as defined in this Part until such individual has:
 - 1) ~~Received 40 hours of instruction in the subjects outlined in Appendix A of this Part Section 351. Appendix A~~ and has demonstrated to the satisfaction of the licensee or registrant an understanding thereof by successful completion of a written examination administered by the licensee or registrant;
 - 2) ~~Read and received instruction in the regulations contained in this Part and the applicable Sections of 32 Ill. Adm. Code 310, 340, and 400 or the equivalent state or federal regulations, conditions of appropriate license or registrant's operating and emergency procedures, and demonstrated to the satisfaction of the licensee or registrant an understanding thereof; and~~

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

- 3) ~~d~~ Demonstrated to the satisfaction of the licensee or registrant competence to use sources of radiation, related handling tools, and radiation survey instruments which will be used on the job.
- b) No licensee or registrant shall permit any individual to assist in the handling of sources of radiation until such individual has:
 - 1) ~~Read or received instruction in the licensee's or registrant's operating and emergency procedures and demonstrated to the satisfaction of the licensee or registrant an understanding thereof; and~~
 - 2) ~~d~~ Demonstrated to the satisfaction of the licensee or registrant competence to use, under the personal supervision of the logging supervisor, the sources of radiation, related handling tools, and radiation survey instruments which will be used on the job.
- c) The licensee or registrant shall maintain employee training records for inspection by the Department for ~~two (2)~~ years following termination of employment.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 351.2020 Operating and Emergency Procedures

The licensee's or registrant's operating and emergency procedures shall include instructions in at least the following:

- a) ~~Handling and use of sources of radiation to be employed so that no individual is likely to be exposed to radiation doses in excess of the standards established in 32 Ill. Adm. Code 340;~~
- b) ~~Methods and occasions for conducting radiation surveys;~~
- c) ~~Methods and occasions for locking and securing sources of radiation;~~
- d) ~~Personnel monitoring and the use of personnel monitoring equipment;~~
- e) ~~Transportation to temporary jobsites and field stations, including the packaging and placing of sources of radiation in vehicles, placarding of vehicles, and securing sources of radiation during transportation;~~

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF PROPOSED AMENDMENT

- f) minimizing exposure of individuals in the event of an accident;
- g) procedure for notifying proper personnel in the event of an accident;
- h) maintenance of records;
- i) inspection and maintenance of source holders, logging tools, source handling tools, storage containers, transport containers, and injection tools;
- j) procedure to be followed in the event a sealed source is lodged downhole; and
- k) procedures to be used for picking up, receiving, and opening packages containing radioactive material.

(Source: Amended at ___ Ill. Reg. ___, effective _____.)

Section 351.2030 Personnel Monitoring

- a) No licensee or registrant shall permit any individual to act as a logging supervisor or to assist in the handling of sources of radiation unless each such individual wears either a film badge or a thermoluminescent dosimeter (TLD). Each film badge or TLD shall be assigned to and worn by only one individual.
- b) Personnel monitoring records shall be maintained for inspection until the department authorizes disposition. Records of individual monitoring results shall be retained in accordance with 32 Ill. Adm. Code 340.1160.

(Source: Amended at ___ Ill. Reg. ___, effective _____.)

Section 351.3030 Subsurface Tracer Studies

- a) All personnel handling radioactive tracer material shall be required to use protective gloves, protective clothing and equipment which prevents the spread of contamination. Precautions shall be taken by the licensee or registrant to prevent ingestion or inhalation of radioactive material.
- b) No licensee or registrant shall cause the injection of radioactive material into potable aquifers without specific license authorization issued by the Department pursuant to 32 Ill. Adm. Code 330.250. Such authorization will be issued only if:

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF PROPOSED AMENDMENT

- 1) The applicant's proposed procedures will prevent tracer concentrations at the most exposed drinking water source or public water supply inlet from exceeding the Illinois Environmental Protection Agency's drinking water quality standards in 35 Ill. Adm. Code 604, and
- 2) The applicant's proposed procedures will be performed:

- A) On an underground injection well for which a U.S. Environmental Protection Agency underground injection control program permit has been issued pursuant to 40 CFR 124 or 40 CFR 144 revised as of July 1, 1988, 1990, or pursuant to 35 Ill. Adm. Code 705 or 62 Ill. Adm. Code 246, or

AGENCY NOTE: A copy of 40 CFR 124 and 144 is available for public inspection at the Department of Nuclear Safety, 1035 Outer Park Drive, Springfield, Illinois.

- B) On a well for which the Illinois Environmental Protection Agency has otherwise approved a subsurface radioactive tracer study pursuant to 35 Ill. Adm. Code 704, or
- C) On a well for which the Illinois Department of Mines and Minerals has otherwise approved a subsurface radioactive tracer study pursuant to 62 Ill. Adm. Code 240.

(Source: Amended at ___ Ill. Reg. ___, effective _____.)

Section 351.3040 Particle Accelerators

No licensee or registrant shall permit above-ground testing of particle accelerators, designed for use in well-logging, which results in the production of radiation, except in areas or facilities controlled or shielded so that the requirements of 32 Ill. Adm. Code 340-1040, 340.210 and 340-1050 340.310, as applicable, are met.

(Source: Amended at ___ Ill. Reg. ___, effective _____.)

Section 351.4010 Radiation Surveys

- a) Radiation surveys and/or calculations shall be made and recorded for each area where radioactive materials are stored.

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

- b) Radiation surveys and/or calculations shall be made and recorded for the radiation levels in occupied positions and on the exterior of each vehicle used to transport radioactive material. Such surveys and/or calculations shall include each source of radiation or combination of sources to be transported in the vehicle.
- c) After removal of the sealed source from the logging tool and before departing the jobsite, the logging tool detector shall be energized, or a radiation survey meter used, to assure that the logging tool is free of contamination.
- d) Radiation surveys shall be made and recorded at the jobsite or wellhead for each tracer operation, except those using Hydrogen-3, Carbon-14, and Sulfur-35. These surveys shall include measurements of radiation levels before and after the operation.
- e) Records required pursuant to Section 351.4010 subsections (a) through (d) above shall include the dates, the identification of individual(s) making the survey, the identification of survey instrument(s) used, and an exact description of the location of the survey. Records of these surveys shall be maintained for inspection by the Department for two (2) to five (5) years after completion of the survey.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 351.4020 Documents and Records Required at Field Stations

Each licensee or registrant shall maintain, for inspection by the Department, the following documents and records for the specific devices and sources used at the field station:

- a) Appropriate license, certificate of registration, or equivalent document issued by the Nuclear Regulatory Commission, an Agreement State, or Licensing State;
- b) Operating and emergency procedures required by Section 351.2020;
- c) 32 Ill. Adm. Code: 310, 320, 330, 340, 341, 351 and 400 Chapter II, Subchapters b and d;
- d) Records of the latest survey instrument calibrations pursuant to Section 351.1040;

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

- e) Records of the latest leak test results pursuant to Section 351.1050. The dates of the latest tests for leakage or contamination performed on the sealed sources and the results of the tests;
- f) Quarterly inventories required pursuant to Section 351.1060;
- g) Utilization records required pursuant to Section 351.1070;
- h) Records of inspection and maintenance required pursuant to Section 351.1100; and
- i) Survey records required pursuant to Section 351.4010.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 351.4030 Documents and Records Required at Temporary Jobsites

Each licensee or registrant conducting operations at a temporary jobsite shall have the following documents and records available at that site for inspection by the Department:

- a) Operating and emergency procedures required by Section 351.2020;
- b) Survey records required pursuant to Section 351.4010 for the period of operation at the site;
- c) Evidence of current calibration for the radiation survey instruments in use at the site;
- d) The licensee's radioactive material license, including all appropriate amendments;
- e) When operating in the State under reciprocity as provided for in 32 Ill. Adm. Code 330.900, a copy of the appropriate license, certificate of registration, or equivalent document(s); and
- f) The dates of the latest tests for leakage and/or contamination performed on the sealed source(s) and the results of the test(s).

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 351.5010 Notification of Incidents, Abandonment, and Lost Sources

- a) Notification shall be made to the Department whenever an incident has occurred as described in 32 Ill. Adm. Code 340.4090 340.1220

DEPARTMENT OF NUCLEAR SAFETY

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF PROPOSED AMENDMENT

NOTICE OF PROPOSED AMENDMENT

or 340-4050 340.1230. ~~has occurred or~~ Notification shall also be made to the Department whenever a source is leaking or contaminated in accordance with 32 Ill. Adm. Code 340.1260 or stolen, missing, or lost, other than in downhole logging operations, notification shall be made to the Department in accordance with 32 Ill. Adm. Code 340-4029 340.1210.

b) Whenever a sealed source or device containing radioactive material is lodged downhole, the licensee or registrant shall:

- 1) ~~Monitor~~ at the surface for the presence of radioactive contamination with a radiation survey instrument or logging tool during logging tool recovery operations; and
- 2) ~~Notify~~ the Department immediately by telephone if radioactive contamination is detected at the surface or if the source appears to be damaged.

c) When it becomes apparent that efforts to recover the radioactive source will not be successful, the licensee or registrant shall:

- 1) ~~advise the well-operator of the regulations of the Illinois Department of Nuclear Safety regarding abandonment and a well method of abandonment, which shall include:~~

- A) ~~The immobilization and sealing in place of the radioactive source with a cement plug,~~
- B) ~~The setting of a whipstock or other deflection device, and~~
- C) ~~The mounting of a permanent identification plaque, at the surface of the well, containing the appropriate information required by Section 351-5010(4) subsection (e) below.~~

2) ~~Notify the Department immediately by telephone, and by mail within ten (10) calendar days, giving the circumstances of the loss, and requesting approval of the adopted abandonment procedures; and~~

3) ~~File a written report with the Department within 30 days of the abandonment, setting forth the following information:~~

- A) ~~date of occurrence and a brief description of attempts to recover the source;~~

- B) ~~a description of the radioactive source involved, including radionuclide, quantity, and chemical and physical form;~~
- C) ~~surface location, and identification of well;~~
- D) ~~results of efforts to immobilize and seal the source in place;~~
- E) ~~depth of the radioactive source;~~
- F) ~~depth of the top of the cement plug;~~
- G) ~~depth of the well; and~~
- H) ~~information contained on the permanent identification plaque.~~

d) The Department will provide written approval of the request by the licensee pursuant to subsection (c)(2) above if the Department determines that accepted industry methods for recovery have been unsuccessful and the proposed abandonment procedures satisfy the requirements of subsection (c)(1) above.

e) Whenever a sealed source containing radioactive material is abandoned downhole, the licensee shall provide a permanent plaque* for posting the well or well-bore. This plaque shall:

*AGENCY NOTE: An example of a suggested plaque is shown in Appendix B of this part Section 351. Appendix B.

- 1) ~~be constructed of long-lasting material, such as stainless steel or metal; and~~
- 2) ~~contain the following information engraved on its face:~~

- A) ~~The word "CAUTION";~~
- B) ~~The radiation symbol without the conventional color requirement;~~
- C) ~~The date of abandonment;~~
- D) ~~The name of the well operator or well owner;~~



DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

- E) ~~the~~ well name and well identification number(s) or other designation;
- F) ~~the~~ sealed source(s) by radionuclide and quantity of activity;
- G) ~~the~~ source depth and the depth to the top of the plug; and
- H) ~~a~~An appropriate warning, depending on the specific circumstances of each abandonment.*
- *AGENCY NOTE: Appropriate warnings may include: "Do not drill below plug back depth"; "Do not enlarge casing"; or "Do not re-enter the hole" followed by the words, "before contacting the Illinois Department of Nuclear Safety".

- f) The licensee or registrant shall notify the Department immediately by telephone and by mail within ~~ten~~ 10 calendar days, if the licensee knows or has reason to believe that radioactive material has been lost in or to an underground potable water source. Such notice shall designate the well location and shall describe the magnitude and extent of loss of radioactive material, assess the health and environmental consequences of such loss, and explain efforts planned or being taken to mitigate these consequences.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

SECTION 351.APPENDIX B Example of Plaque for Identifying Wells Containing Sealed Sources Containing Radioactive Material Abandoned Downhole

○	[COMPANY NAME]	○
○	[WELL IDENTIFICATION]	○
 CAUTION 		
ONE 74 GIGABECQUEREL (2 CURIE) CS-137 RADIOACTIVE SOURCE ABANDONED 3-3-75 3-3-92 AT 2560 METERS (8400 FT. FEET) PLUG BACK DEPTH 2500 METERS (8200 FT. FEET) DO NOT RE-ENTER THIS WELL BEFORE CONTACTING THE RADIATION CONTROL AGENCY THE ILLINOIS DEPARTMENT OF NUCLEAR SAFETY		
○		○

The size of the plaque should be convenient for use on active or inactive wells 9-in. or 18-centimeter (7-inch) square. Letter size of the word "CAUTION" should be approximately twice the letter size of the rest of the information. 9-12-millimeter (1/2-inch) and 6-millimeter (1/4-inch) letter size, respectively. Quantities and distances may be expressed either in SI units or in special and English units or in dual units as above.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

1) **Heading of the Part:** REGISTRATION OF RADIOACTIVE MATERIALS, RADIATION MACHINE, AND RADIATION INSTALLATIONS

2) **Code Citation:** 32 Ill. Adm. Code 320

3) **Section Number:** Proposed Action:
320.10 Amendment
320.30 Amendment
320.40 Amendment

4) **Statutory Authority:** Implementing and authorized by the Radiation Installation Act (Ill. Rev. Stat. 1991, ch. 111½, pars. 193.9 - 200) [420 ILCS 30/0.01 - 30/8].

5) **A Complete Description of the Subjects and Issues Involved:** This amendment is non-substantive. The Department is proposing to modify this Part to include both metric and English units of measurements; modify statutory citations so that they refer to the Illinois Compiled Statutes; and make non-substantive editorial changes.

6) **Will this proposed amendment replace an emergency rule currently in effect? No**

7) **Does this rulemaking contain an automatic repeal date? No**

8) **Does this proposed amendment contain incorporations by reference? Yes, the amendment contains material incorporated by reference pursuant to Section 100/5-75(a) of the Administrative Procedure Act [5 ILCS 100/5-75(a)].**

9) **Are there any other proposed amendments pending on this Part? No**

10) **Statement of Statewide Policy Objectives:** The requirements imposed by the proposed rulemaking are not expected to require local governments to establish, expand, or modify their activities in such a way as to necessitate additional expenditures from local revenues.

11) **Time, Place and Manner in which interested persons may comment on this proposed rulemaking:** Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice. The Department will consider fully all written comments on this proposed rulemaking submitted during the 45 day comment period. Comments should be submitted to:

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

Betsy Salus
Senior Staff Attorney
Department of Nuclear Safety
1035 Oldfield Park Drive
Springfield, Illinois 62704
(217) 785-9881 (voice)
(217) 782-6133 (TDD)

12) **Initial Regulatory Flexibility Analysis:**

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: Not applicable
- B) Types of small businesses affected: The Department believes that these amendments impose no direct impact on any small businesses that are licensed by the Department.
- C) Reporting, bookkeeping or other procedures required for compliance: This rulemaking does not require registrants to perform reporting, bookkeeping or other procedures for achieving compliance.
- D) Types of professional skills necessary for compliance: No particular professional skills are necessary for compliance.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

TITLE 32: ENERGY
CHAPTER II: DEPARTMENT OF NUCLEAR SAFETY
SUBCHAPTER b: RADIATION PROTECTION

PART 320
REGISTRATION OF RADIOACTIVE MATERIALS; RADIATION MACHINE,
AND RADIATION INSTALLATIONS

Section
320.10 Registration
320.20 Amendments
320.30 Discontinued Use
320.40 Exemptions
320.50 Noncompliance

AUTHORITY: Implementing and authorized by "AN ACT to require the registration of radiation installations in this State, to provide incentive relief and assistance for operators of this Act, and to make an appropriation therefor" (Ill. Rev. Stat. 1989, Ch. 111, Par. 194 et seq.); "The Radiation Installation Act (Ill. Rev. Stat. 1991, Ch. 111, par. 193.9 - 200) [420 ILCS 30/0.01 - 30/81]

SOURCE: Filed April 20, 1974 by the Department of Public Health; transferred to the Department of Nuclear Safety by P.A. 81-1516 effective December 3, 1980; codified at 7 Ill. Reg. 11278, amended at 10 Ill. Reg. 17529, effective September 25, 1986; amended at 14 Ill. Reg. 13644, effective August 13, 1990; amended at ____ Ill. Reg. ____, effective ____.

Section 320.10 Registration

a) Installation Registration

- 1) Any operator of a facility where radiation machines are used or where radioactive material is produced, transported, stored, used, or disposed of for any purpose, which is not subject to regulation by the U. S. Nuclear Regulatory Commission (NRC), shall register such radiation machines with the Department of Nuclear Safety (Department). The operator shall register the installation on a form prescribed by the Department which shall include:

- A) the operator's name,

ILLINOIS REGISTER
DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

- B) the location and confines of the radiation installation, and
- C) the type, strength, and number of sources of radiation expected to be produced, used, operated, stored, or disposed.
- 2) When the number of sources exceeds 50, the Director will, upon request of the operator, permit blanket registration of the installation. This blanket registration shall be on a form prescribed by the Department and shall include:
 - A) the operator's name,
 - B) the location and confines of the radiation installation,
 - C) a description of each type and range of strengths of each type of source of radiation,
 - D) the number of each type of source,
 - E) the radionuclide in each type of source, and
 - F) the specific information requested on form IL 473-0013 regarding registration of x-ray machines.

b) Machine Registration

- 1) Every operator of a radiation installation where radiation machines are located shall register such machines with the Department.
- 2) Installation operators shall register radiation machines annually on a form prescribed by the Department. The registration form shall be filed before February 1 of each year. An annual registration fee of \$10.00 per radiation machine for each machine possessed on January 1 of each year shall be submitted with the registration form.

(Source: Amended at ____ Ill. Reg. ____, effective ____.)

Section 320.30 Discontinued Use

If any operator discontinues using radiation machines or producing, transporting, storing, using, or disposing of radioactive material, the

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

operator shall notify the Department within ~~thirty~~ (30) days after such discontinuance. The notification shall include the date of discontinuance and the disposition of such radiation machines or radioactive material.

(Source: Amended at Ill. Reg. ____, effective ____)

Section 320.40 Exemptions

An operator shall be exempt from these installation and machine registration requirements in accordance with Section 30/3 of this Act to require the registration of radiation installations as herein defined, to require the inspection of radiation installations as herein defined, to provide indemnity relief and penalties or forfeitures in this Act, and to provide information thereon (Ill. Rev. Stat. 1989, Ch. 111, 1/2, par. 196) the Radiation Installation Act (Ill. Rev. Stat. 1991, Ch. 111, par. 96) [420 ILCS 30/3] (the Act) for the following material, machines, and uses:

- a) *Natural radioactive materials of an equivalent specific radioactivity not exceeding that of natural potassium, except when such materials are produced, stored, used, handled or disposed in such quantity or fashion that any person might receive within a week a radiation dose exceeding one-tenth the maximum permissible total weekly dose for any critical organ exposed, as determined by the standards established by the National Committee on Radiation Protection.* (See Section 40/3(a).)

AGENCY NOTE: The name of the National Committee on Radiation Protection has been changed to the National Council on Radiation Protection and Measurements. Copies of the standards established by the National Committee on Radiation Protection Council are available for public inspection at the Department of Nuclear Safety, 1035 Outer Park Drive, Springfield, Illinois. Copies of standards can also be obtained directly from the National Committee of Radiation Protection NCRP Publications, 7910 Woodmont Avenue, Suite #016 800, Bethesda, MD 20814.

- b) *For radioactive materials not in sealed sources in quantities less than or equal to those identified in the following table:* (See Section 40/3(b).)

Radio-active Material	Upper Limit Becquerel	Upper Limit Microcurie	Radio-active Material	Upper Limit Kilo-becquerel	Upper Limit Microcurie
Pb210	37	1	Po210	37	1

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

At211	37	1	Ra ²⁶⁶	37	1
Ac ²²⁷	37	1	U ²³³	37	1
Pu ²³⁹	37	1	Am ²⁴¹	37	1
Cm ²⁴²	37	1	Sc ⁴⁶	370	10
Co ⁶⁰	370	10	Sr ⁹⁰	370	10
Ag ¹⁰⁵	370	10	Ru ¹⁰⁶	370	10
Te ¹²⁹	370	10	I ¹³¹	370	10
Cs ¹³⁷	370	10	Ce ¹⁴⁴	370	10
Eu ¹⁵⁴	370	10	W ¹⁸¹	370	10
Re ¹⁸³	370	10	I ¹⁹²	370	10
P ³²	3,700	100	Ci ³⁶	3,700	100
Ca ⁴⁵	3,700	100	Sc ⁴⁷	3,700	100
Sc ⁴⁸	3,700	100	V ⁴⁸	3,700	100
Fe ⁵⁹	3,700	100	Zn ⁶⁵	3,700	100
Ga ⁷²	3,700	100	As ⁷⁶	3,700	100
Rb ⁸⁶	3,700	100	Sr ⁸⁹	3,700	100
Y ⁹¹	3,700	100	Nb ⁹⁵	3,700	100
Tc ⁹⁶	3,700	100	Rh ¹⁰⁵	3,700	100
Cd ¹⁰⁹	3,700	100	Ag ¹¹¹	3,700	100
Sn ¹¹³	3,700	100	Te ¹²⁷	3,700	100
Ba ¹⁴⁰	3,700	100	La ¹⁴⁰	3,700	100
Pu ¹⁴³	3,700	100	Sm ¹⁵¹	3,700	100
Ho ¹⁶⁶	3,700	100	Ta ¹⁷⁰	3,700	100

DEPARTMENT OF NUCLEAR SAFETY

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF PROPOSED AMENDMENT

NOTICE OF PROPOSED AMENDMENT

Lu177	3,700	100	Tm ¹⁸²	3,700	100
Pt ¹⁹¹	3,700	100	Pt ¹⁹³	3,700	100
Au ¹⁹⁸	3,700	100	Au ¹⁹⁹	3,700	100
Tl ²⁰⁰	3,700	100	Tl ²⁰⁴	3,700	100
Pb ²⁰³	3,700	100	Th ²³⁴	3,700	100
H ³	37,000	1,000	Be ⁷	37,000	1,000
C ¹⁴	37,000	1,000	Na ²⁴	37,000	1,000
S ³⁵	37,000	1,000	K ⁴²	37,000	1,000
Cr ⁵¹	37,000	1,000	Fe ⁵⁵	37,000	1,000
Mn ⁵⁶	37,000	1,000	Ni ⁵⁹	37,000	1,000
Cu ⁶⁴	37,000	1,000	Ge ⁷¹	37,000	1,000
Mo ⁹⁹	37,000	1,000	Pd ¹⁰³	37,000	1,000
Pm ¹⁴⁷	37,000	1,000	Ir ¹⁹⁰	37,000	1,000
Au ¹⁹⁶	37,000	1,000	Tl ²⁰¹	37,000	1,000
Tl ²⁰²	37,000	1,000	Natural U	37,000	1,000
Natural Th	37,000	1,000			

c) *Radioactive materials in sealed sources in total quantities not exceeding 37 MBq (one millicurie) for a given installation. (See Section 40/3(c).)*

d) *Timepieces, instruments, novelties, or devices containing self-luminous elements, except during the manufacture of the self-luminous elements and the production of said timepieces, instruments, novelties, or devices when the timepieces, instruments, novelties, or devices are stored, used, repaired, handled, or disposed in such quantity or fashion that any person might receive within a week a radiation dose exceeding one-tenth the maximum permissible total weekly dose for any critical organ exposed, as determined by the standards established by the*

National Committee on Radiation Protection. (See Section 40/3(d).)

AGENCY NOTE: The name of the National Committee on Radiation Protection has been changed to the National Council on Radiation Protection and Measurements. Copies of the standards established by the National Committee on Radiation Protection Council are available for public inspection at the Department of Nuclear Safety, 1035 Outer Park Drive, Springfield, Illinois. Copies of standards can also be obtained directly from the National Committee on Radiation Protection NCRP Publications, 7910 Woodmont Avenue, Suite 4046 800, Bethesda, MD 20814.

e) *Electrical equipment that is manufactured for purposes other than generation of radiation, where the generation of radiation is incidental to operation (such as a television), and that operates in such a manner that no person may receive within a week a radiation dose exceeding one-tenth the maximum permissible total weekly dose for any critical organ exposed. Determinations of doses shall be made in accordance with the standards established by the National Committee of Radiation Protection. The production testing or production servicing of all such electrical equipment shall not be exempt from registration. (See Section 40/3(e).)*

AGENCY NOTE: The name of the National Committee on Radiation Protection has been changed to the National Council on Radiation Protection and Measurements. Copies of the standards established by the National Committee on Radiation Protection Council are available for public inspection at the Department of Nuclear Safety, 1035 Outer Park Drive, Springfield, Illinois. Copies of standards can also be obtained directly from the National Committee on Radiation Protection NCRP Publications, 7910 Woodmont Avenue, Suite 4046 800, Bethesda, MD 20814.

f) *Any radioactive material or radiation machine being transported on vessels, aircraft, railroad cars, or motor vehicles in conformity with regulations adopted by any agency having jurisdiction over safety during transportation. (See Section 40/3(f).)*

g) *Radiation machines, radioactive materials, and radiation installations which the Department of Nuclear Safety finds to be without radiation hazard, as determined by the standards established by the National Committee on Radiation Protection. (See Section 40/3(g).)*

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF PROPOSED AMENDMENT

AGENCY NOTE: The name of the National Committee on Radiation Protection has been changed to the National Council on Radiation Protection and Measurements. Copies of the standards established by the National Committee on Radiation Protection Council are available for public inspection at the Department of Nuclear Safety, 1035 Outer Park Drive, Springfield, Illinois. Copies of standards can also be obtained directly from the National Committee on Radiation Protection NCRP Publications, 7910 Woodmont Avenue, Suite 405 800, Bethesda, MD 20814.

(Source: Amended at Ill. Reg. ____, effective ____)

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: SOLID WASTE DISPOSAL: GENERAL PROVISIONS

2) Code Citation: 35 Ill. Adm. Code 810

3) Section Numbers: Proposed Action:
810.103 Amend
811.104 Amend

4) Statutory Authority: Implementing Sections 5, 21, 21.1, 22, 22.17 and 22.40, and authorized by Section 27 of the Environmental Protection Act (Ill. Ch. 111, Sec. 2-110), and Sections 5, 5.1, 5.1.1, 5.1.2, 5.1.3, 5.1.4, 5.1.5, 5.1.6, 5.1.7, 5.1.8, 5.1.9, 5.1.10, 5.1.11, 5.1.12, 5.1.13, 5.1.14, 5.1.15, 5.1.16, 5.1.17, 5.1.18, 5.1.19, 5.1.20, 5.1.21, 5.1.22, 5.1.23, 5.1.24, 5.1.25, 5.1.26, 5.1.27, 5.1.28, 5.1.29, 5.1.30, 5.1.31, 5.1.32, 5.1.33, 5.1.34, 5.1.35, 5.1.36, 5.1.37, 5.1.38, 5.1.39, 5.1.40, 5.1.41, 5.1.42, 5.1.43, 5.1.44, 5.1.45, 5.1.46, 5.1.47, 5.1.48, 5.1.49, 5.1.50, 5.1.51, 5.1.52, 5.1.53, 5.1.54, 5.1.55, 5.1.56, 5.1.57, 5.1.58, 5.1.59, 5.1.60, 5.1.61, 5.1.62, 5.1.63, 5.1.64, 5.1.65, 5.1.66, 5.1.67, 5.1.68, 5.1.69, 5.1.70, 5.1.71, 5.1.72, 5.1.73, 5.1.74, 5.1.75, 5.1.76, 5.1.77, 5.1.78, 5.1.79, 5.1.80, 5.1.81, 5.1.82, 5.1.83, 5.1.84, 5.1.85, 5.1.86, 5.1.87, 5.1.88, 5.1.89, 5.1.90, 5.1.91, 5.1.92, 5.1.93, 5.1.94, 5.1.95, 5.1.96, 5.1.97, 5.1.98, 5.1.99, 5.1.100, 5.1.101, 5.1.102, 5.1.103, 5.1.104, 5.1.105, 5.1.106, 5.1.107, 5.1.108, 5.1.109, 5.1.110, 5.1.111, 5.1.112, 5.1.113, 5.1.114, 5.1.115, 5.1.116, 5.1.117, 5.1.118, 5.1.119, 5.1.120, 5.1.121, 5.1.122, 5.1.123, 5.1.124, 5.1.125, 5.1.126, 5.1.127, 5.1.128, 5.1.129, 5.1.130, 5.1.131, 5.1.132, 5.1.133, 5.1.134, 5.1.135, 5.1.136, 5.1.137, 5.1.138, 5.1.139, 5.1.140, 5.1.141, 5.1.142, 5.1.143, 5.1.144, 5.1.145, 5.1.146, 5.1.147, 5.1.148, 5.1.149, 5.1.150, 5.1.151, 5.1.152, 5.1.153, 5.1.154, 5.1.155, 5.1.156, 5.1.157, 5.1.158, 5.1.159, 5.1.160, 5.1.161, 5.1.162, 5.1.163, 5.1.164, 5.1.165, 5.1.166, 5.1.167, 5.1.168, 5.1.169, 5.1.170, 5.1.171, 5.1.172, 5.1.173, 5.1.174, 5.1.175, 5.1.176, 5.1.177, 5.1.178, 5.1.179, 5.1.180, 5.1.181, 5.1.182, 5.1.183, 5.1.184, 5.1.185, 5.1.186, 5.1.187, 5.1.188, 5.1.189, 5.1.190, 5.1.191, 5.1.192, 5.1.193, 5.1.194, 5.1.195, 5.1.196, 5.1.197, 5.1.198, 5.1.199, 5.1.200, 5.1.201, 5.1.202, 5.1.203, 5.1.204, 5.1.205, 5.1.206, 5.1.207, 5.1.208, 5.1.209, 5.1.210, 5.1.211, 5.1.212, 5.1.213, 5.1.214, 5.1.215, 5.1.216, 5.1.217, 5.1.218, 5.1.219, 5.1.220, 5.1.221, 5.1.222, 5.1.223, 5.1.224, 5.1.225, 5.1.226, 5.1.227, 5.1.228, 5.1.229, 5.1.230, 5.1.231, 5.1.232, 5.1.233, 5.1.234, 5.1.235, 5.1.236, 5.1.237, 5.1.238, 5.1.239, 5.1.240, 5.1.241, 5.1.242, 5.1.243, 5.1.244, 5.1.245, 5.1.246, 5.1.247, 5.1.248, 5.1.249, 5.1.250, 5.1.251, 5.1.252, 5.1.253, 5.1.254, 5.1.255, 5.1.256, 5.1.257, 5.1.258, 5.1.259, 5.1.260, 5.1.261, 5.1.262, 5.1.263, 5.1.264, 5.1.265, 5.1.266, 5.1.267, 5.1.268, 5.1.269, 5.1.270, 5.1.271, 5.1.272, 5.1.273, 5.1.274, 5.1.275, 5.1.276, 5.1.277, 5.1.278, 5.1.279, 5.1.280, 5.1.281, 5.1.282, 5.1.283, 5.1.284, 5.1.285, 5.1.286, 5.1.287, 5.1.288, 5.1.289, 5.1.290, 5.1.291, 5.1.292, 5.1.293, 5.1.294, 5.1.295, 5.1.296, 5.1.297, 5.1.298, 5.1.299, 5.1.300, 5.1.301, 5.1.302, 5.1.303, 5.1.304, 5.1.305, 5.1.306, 5.1.307, 5.1.308, 5.1.309, 5.1.310, 5.1.311, 5.1.312, 5.1.313, 5.1.314, 5.1.315, 5.1.316, 5.1.317, 5.1.318, 5.1.319, 5.1.320, 5.1.321, 5.1.322, 5.1.323, 5.1.324, 5.1.325, 5.1.326, 5.1.327, 5.1.328, 5.1.329, 5.1.330, 5.1.331, 5.1.332, 5.1.333, 5.1.334, 5.1.335, 5.1.336, 5.1.337, 5.1.338, 5.1.339, 5.1.340, 5.1.341, 5.1.342, 5.1.343, 5.1.344, 5.1.345, 5.1.346, 5.1.347, 5.1.348, 5.1.349, 5.1.350, 5.1.351, 5.1.352, 5.1.353, 5.1.354, 5.1.355, 5.1.356, 5.1.357, 5.1.358, 5.1.359, 5.1.360, 5.1.361, 5.1.362, 5.1.363, 5.1.364, 5.1.365, 5.1.366, 5.1.367, 5.1.368, 5.1.369, 5.1.370, 5.1.371, 5.1.372, 5.1.373, 5.1.374, 5.1.375, 5.1.376, 5.1.377, 5.1.378, 5.1.379, 5.1.380, 5.1.381, 5.1.382, 5.1.383, 5.1.384, 5.1.385, 5.1.386, 5.1.387, 5.1.388, 5.1.389, 5.1.390, 5.1.391, 5.1.392, 5.1.393, 5.1.394, 5.1.395, 5.1.396, 5.1.397, 5.1.398, 5.1.399, 5.1.400, 5.1.401, 5.1.402, 5.1.403, 5.1.404, 5.1.405, 5.1.406, 5.1.407, 5.1.408, 5.1.409, 5.1.410, 5.1.411, 5.1.412, 5.1.413, 5.1.414, 5.1.415, 5.1.416, 5.1.417, 5.1.418, 5.1.419, 5.1.420, 5.1.421, 5.1.422, 5.1.423, 5.1.424, 5.1.425, 5.1.426, 5.1.427, 5.1.428, 5.1.429, 5.1.430, 5.1.431, 5.1.432, 5.1.433, 5.1.434, 5.1.435, 5.1.436, 5.1.437, 5.1.438, 5.1.439, 5.1.440, 5.1.441, 5.1.442, 5.1.443, 5.1.444, 5.1.445, 5.1.446, 5.1.447, 5.1.448, 5.1.449, 5.1.450, 5.1.451, 5.1.452, 5.1.453, 5.1.454, 5.1.455, 5.1.456, 5.1.457, 5.1.458, 5.1.459, 5.1.460, 5.1.461, 5.1.462, 5.1.463, 5.1.464, 5.1.465, 5.1.466, 5.1.467, 5.1.468, 5.1.469, 5.1.470, 5.1.471, 5.1.472, 5.1.473, 5.1.474, 5.1.475, 5.1.476, 5.1.477, 5.1.478, 5.1.479, 5.1.480, 5.1.481, 5.1.482, 5.1.483, 5.1.484, 5.1.485, 5.1.486, 5.1.487, 5.1.488, 5.1.489, 5.1.490, 5.1.491, 5.1.492, 5.1.493, 5.1.494, 5.1.495, 5.1.496, 5.1.497, 5.1.498, 5.1.499, 5.1.500, 5.1.501, 5.1.502, 5.1.503, 5.1.504, 5.1.505, 5.1.506, 5.1.507, 5.1.508, 5.1.509, 5.1.510, 5.1.511, 5.1.512, 5.1.513, 5.1.514, 5.1.515, 5.1.516, 5.1.517, 5.1.518, 5.1.519, 5.1.520, 5.1.521, 5.1.522, 5.1.523, 5.1.524, 5.1.525, 5.1.526, 5.1.527, 5.1.528, 5.1.529, 5.1.530, 5.1.531, 5.1.532, 5.1.533, 5.1.534, 5.1.535, 5.1.536, 5.1.537, 5.1.538, 5.1.539, 5.1.540, 5.1.541, 5.1.542, 5.1.543, 5.1.544, 5.1.545, 5.1.546, 5.1.547, 5.1.548, 5.1.549, 5.1.550, 5.1.551, 5.1.552, 5.1.553, 5.1.554, 5.1.555, 5.1.556, 5.1.557, 5.1.558, 5.1.559, 5.1.560, 5.1.561, 5.1.562, 5.1.563, 5.1.564, 5.1.565, 5.1.566, 5.1.567, 5.1.568, 5.1.569, 5.1.570, 5.1.571, 5.1.572, 5.1.573, 5.1.574, 5.1.575, 5.1.576, 5.1.577, 5.1.578, 5.1.579, 5.1.580, 5.1.581, 5.1.582, 5.1.583, 5.1.584, 5.1.585, 5.1.586, 5.1.587, 5.1.588, 5.1.589, 5.1.590, 5.1.591, 5.1.592, 5.1.593, 5.1.594, 5.1.595, 5.1.596, 5.1.597, 5.1.598, 5.1.599, 5.1.600, 5.1.601, 5.1.602, 5.1.603, 5.1.604, 5.1.605, 5.1.606, 5.1.607, 5.1.608, 5.1.609, 5.1.610, 5.1.611, 5.1.612, 5.1.613, 5.1.614, 5.1.615, 5.1.616, 5.1.617, 5.1.618, 5.1.619, 5.1.620, 5.1.621, 5.1.622, 5.1.623, 5.1.624, 5.1.625, 5.1.626, 5.1.627, 5.1.628, 5.1.629, 5.1.630, 5.1.631, 5.1.632, 5.1.633, 5.1.634, 5.1.635, 5.1.636, 5.1.637, 5.1.638, 5.1.639, 5.1.640, 5.1.641, 5.1.642, 5.1.643, 5.1.644, 5.1.645, 5.1.646, 5.1.647, 5.1.648, 5.1.649, 5.1.650, 5.1.651, 5.1.652, 5.1.653, 5.1.654, 5.1.655, 5.1.656, 5.1.657, 5.1.658, 5.1.659, 5.1.660, 5.1.661, 5.1.662, 5.1.663, 5.1.664, 5.1.665, 5.1.666, 5.1.667, 5.1.668, 5.1.669, 5.1.670, 5.1.671, 5.1.672, 5.1.673, 5.1.674, 5.1.675, 5.1.676, 5.1.677, 5.1.678, 5.1.679, 5.1.680, 5.1.681, 5.1.682, 5.1.683, 5.1.684, 5.1.685, 5.1.686, 5.1.687, 5.1.688, 5.1.689, 5.1.690, 5.1.691, 5.1.692, 5.1.693, 5.1.694, 5.1.695, 5.1.696, 5.1.697, 5.1.698, 5.1.699, 5.1.700, 5.1.701, 5.1.702, 5.1.703, 5.1.704, 5.1.705, 5.1.706, 5.1.707, 5.1.708, 5.1.709, 5.1.710, 5.1.711, 5.1.712, 5.1.713, 5.1.714, 5.1.715, 5.1.716, 5.1.717, 5.1.718, 5.1.719, 5.1.720, 5.1.721, 5.1.722, 5.1.723, 5.1.724, 5.1.725, 5.1.726, 5.1.727, 5.1.728, 5.1.729, 5.1.730, 5.1.731, 5.1.732, 5.1.733, 5.1.734, 5.1.735, 5.1.736, 5.1.737, 5.1.738, 5.1.739, 5.1.740, 5.1.741, 5.1.742, 5.1.743, 5.1.744, 5.1.745, 5.1.746, 5.1.747, 5.1.748, 5.1.749, 5.1.750, 5.1.751, 5.1.752, 5.1.753, 5.1.754, 5.1.755, 5.1.756, 5.1.757, 5.1.758, 5.1.759, 5.1.760, 5.1.761, 5.1.762, 5.1.763, 5.1.764, 5.1.765, 5.1.766, 5.1.767, 5.1.768, 5.1.769, 5.1.770, 5.1.771, 5.1.772, 5.1.773, 5.1.774, 5.1.775, 5.1.776, 5.1.777, 5.1.778, 5.1.779, 5.1.780, 5.1.781, 5.1.782, 5.1.783, 5.1.784, 5.1.785, 5.1.786, 5.1.787, 5.1.788, 5.1.789, 5.1.790, 5.1.791, 5.1.792, 5.1.793, 5.1.794, 5.1.795, 5.1.796, 5.1.797, 5.1.798, 5.1.799, 5.1.800, 5.1.801, 5.1.802, 5.1.803, 5.1.804, 5.1.805, 5.1.806, 5.1.807, 5.1.808, 5.1.809, 5.1.810, 5.1.811, 5.1.812, 5.1.813, 5.1.814, 5.1.815, 5.1.816, 5.1.817, 5.1.818, 5.1.819, 5.1.820, 5.1.821, 5.1.822, 5.1.823, 5.1.824, 5.1.825, 5.1.826, 5.1.827, 5.1.828, 5.1.829, 5.1.830, 5.1.831, 5.1.832, 5.1.833, 5.1.834, 5.1.835, 5.1.836, 5.1.837, 5.1.838, 5.1.839, 5.1.840, 5.1.841, 5.1.842, 5.1.843, 5.1.844, 5.1.845, 5.1.846, 5.1.847, 5.1.848, 5.1.849, 5.1.850, 5.1.851, 5.1.852, 5.1.853, 5.1.854, 5.1.855, 5.1.856, 5.1.857, 5.1.858, 5.1.859, 5.1.860, 5.1.861, 5.1.862, 5.1.863, 5.1.864, 5.1.865, 5.1.866, 5.1.867, 5.1.868, 5.1.869, 5.1.870, 5.1.871, 5.1.872, 5.1.873, 5.1.874, 5.1.875, 5.1.876, 5.1.877, 5.1.878, 5.1.879, 5.1.880, 5.1.881, 5.1.882, 5.1.883, 5.1.884, 5.1.885, 5.1.886, 5.1.887, 5.1.888, 5.1.889, 5.1.890, 5.1.891, 5.1.892, 5.1.893, 5.1.894, 5.1.895, 5.1.896, 5.1.897, 5.1.898, 5.1.899, 5.1.900, 5.1.901, 5.1.902, 5.1.903, 5.1.904, 5.1.905, 5.1.906, 5.1.907, 5.1.908, 5.1.909, 5.1.910, 5.1.911, 5.1.912, 5.1.913, 5.1.914, 5.1.915, 5.1.916, 5.1.917, 5.1.918, 5.1.919, 5.1.920, 5.1.921, 5.1.922, 5.1.923, 5.1.924, 5.1.925, 5.1.926, 5.1.927, 5.1.928, 5.1.929, 5.1.930, 5.1.931, 5.1.932, 5.1.933, 5.1.934, 5.1.935, 5.1.936, 5.1.937, 5.1.938, 5.1.939, 5.1.940, 5.1.941, 5.1.942, 5.1.943, 5.1.944, 5.1.945, 5.1.946, 5.1.947, 5.1.948, 5.1.949, 5.1.950, 5.1.951, 5.1.952, 5.1.953, 5.1.954, 5.1.955, 5.1.956, 5.1.957, 5.1.958, 5.1.959, 5.1.960, 5.1.961, 5.1.962, 5.1.963, 5.1.964, 5.1.965, 5.1.966, 5.1.967, 5.1.968, 5.1.969, 5.1.970, 5.1.971, 5.1.972, 5.1.973, 5.1.974, 5.1.975, 5.1.976, 5.1.977, 5.1.978, 5.1.979, 5.1.980, 5.1.981, 5.1.982, 5.1.983, 5.1.984, 5.1.985, 5.1.986, 5.1.987, 5.1.988, 5.1.989, 5.1.990, 5.1.991, 5.1.992, 5.1.993, 5.1.994, 5.1.995, 5.1.996, 5.1.997, 5.1.998, 5.1.999, 5.2.000, 5.2.001, 5.2.002, 5.2.003, 5.2.004, 5.2.005, 5.2.006, 5.2.007, 5.2.008, 5.2.009, 5.2.010, 5.2.011, 5.2.012, 5.2.013, 5.2.014, 5.2.015, 5.2.016, 5.2.017, 5.2.018, 5.2.019, 5.2.020, 5.2.021, 5.2.022, 5.2.023, 5.2.024, 5.2.025, 5.2.026, 5.2.027, 5.2.028, 5.2.029, 5.2.030, 5.2.031, 5.2.032, 5.2.033, 5.2.034, 5.2.035, 5.2.036, 5.2.037, 5.2.038, 5.2.039, 5.2.040, 5.2.041, 5.2.042, 5.2.043, 5.2.044, 5.2.045, 5.2.046, 5.2.047, 5.2.048, 5.2.049, 5.2.050, 5.2.051, 5.2.052, 5.2.053, 5.2.054, 5.2.055, 5.2.056, 5.2.057, 5.2.058, 5.2.059, 5.2.060, 5.2.061, 5.2.062, 5.2.063, 5.2.064, 5.2.065, 5.2.066, 5.2.067, 5.2.068, 5.2.069, 5.2.070, 5.2.071, 5.2.072, 5.2.073, 5.2.074, 5.2.075, 5.2.076, 5.2.077, 5.2.078, 5.2.079, 5.2.080, 5.2.081, 5.2.082, 5.2.083, 5.2.084, 5.2.085, 5.2.086, 5.2.087, 5.2.088, 5.2.089, 5.2.090, 5.2.091, 5.2.092, 5.2.093, 5.2.094, 5.2.095, 5.2.096, 5.2.097, 5.2.098, 5.2.099, 5.2.100, 5.2.101, 5.2.102, 5.2.103, 5.2.104, 5.2.105, 5.2.106, 5.2.107, 5.2.108, 5.2.109, 5.2.110, 5.2.111, 5.2.112, 5.2.113, 5.2.114, 5.2.115, 5.2.116, 5.2.117, 5.2.118, 5.2.119, 5.2.120, 5.2.121, 5.2.122, 5.2.123, 5.2.124, 5.2.125, 5.2.126, 5.2.127, 5.2.128, 5.2.129, 5.2.130, 5.2.131, 5.2.132, 5.2.133, 5.2.134, 5.2.135, 5.2.136, 5.2.137, 5.2.138, 5.2.139, 5.2.140, 5.2.141, 5.2.142, 5.2.143, 5.2.144, 5.2.145, 5.2.146, 5.2.147, 5.2.148, 5.2.149, 5.2.150, 5.2.151, 5.2.152, 5.2.153, 5.2.154, 5.2.155, 5.2.156, 5.2.157, 5.2.158, 5.2.159, 5.2.160, 5.2.161, 5.2.162, 5.2.163, 5.2.164, 5.2.165, 5.2.166, 5.2.167, 5.2.168, 5.2.169, 5.2.170, 5.2.171, 5.2.172, 5.2.173, 5.2.174, 5.2.175, 5.2.176, 5.2.177, 5.2.178, 5.2.179, 5.2.180, 5.2.181, 5.2.182, 5.2.183, 5.2.184, 5.2.185, 5.2.186, 5.2.187, 5.2.188, 5.2.189, 5.2.190, 5.2.191, 5.2.192, 5.2.193, 5.2.194, 5.2.195, 5.2.196, 5.2.197, 5.2.198, 5.2.199, 5.2.200, 5.2.201, 5.2.202, 5.2.203, 5.2.204, 5.2.205, 5.2.206, 5.2.207, 5.2.208, 5.2.209, 5.2.210, 5.2.211, 5.2.212, 5.2.213, 5.2.214, 5.2.215, 5.2.216, 5.2.217, 5.2.218, 5.2.219, 5.2.220, 5.2.221, 5.2.222, 5.2.223, 5.2.224, 5.2.225, 5.2.226, 5.2.227, 5.2.228, 5.2.229, 5.2.230, 5.2.231, 5.2.232, 5.2.233, 5.2.234, 5.2.235, 5.2.236, 5.2.237, 5.2.238, 5.2.239, 5.2.240, 5.2.241, 5.2.242, 5.2.243, 5.2.244, 5.2.245, 5.2.246, 5.2.247, 5.2.248, 5.2.249, 5.2.250, 5.2.251, 5.2.252, 5.2.253, 5.2.254, 5.2.255, 5.2.256, 5.2.257, 5.2.258, 5.2.259, 5.2.260, 5.2.261, 5.2.262, 5.2.263, 5.2.264, 5.2.265, 5.2.266, 5.2.267, 5.2.268, 5.2.269, 5.2.270, 5.2.271, 5.2.272, 5.2.273, 5.2.274, 5.2.275, 5.2.276, 5.2.277, 5.2.278, 5.2.279, 5.2.280, 5.2.281, 5.2.282, 5.2.283, 5.2.284, 5.2.285, 5.2.286, 5.2.287, 5.2.288, 5.2.289, 5.2.290, 5.2.291, 5.2.292, 5.2.293, 5.2.294, 5.2.295, 5.2.296, 5.2.297, 5.2.298, 5.2.299, 5.2.300, 5.2.301, 5.2.302, 5.2.303, 5.2.304

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

(11) two incorporation by references to Section 810.104, which defines the term "municipal solid waste" and "municipal solid waste and a list of hazardous organic and inorganic constituents found at 40 CFR 258 Appendix II (1992).

6) Will this proposed rule replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Do these proposed amendments contain incorporations by reference?

Yes. Section 810.104 is the central location for the references incorporated for all of Parts 810 through 815. This Section is amended to incorporate by reference a testing method required by USPPA for use by MSWLFs, and a list of hazardous organic and inorganic constituents, actually employed in 35 Ill. Adm. Code 811.

9) Are there any other amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives:

This rulemaking is mandated by pending Section 22.40 (H.B. 299) of the Environmental Protection Act. The statewide policy objectives are set forth in this Section. The Act requires that the Department of Natural Resources implement Sections 4004 and 4010 of the Resource Conservation and Recovery Act of 1976 (P.L. 94-580, codified as 42 U.S.C. §§ 6944 & 6950) and Federally-mandated. This rulemaking imposes the federal mandates on units of local government only to the extent that they may be required to operate a municipal solid waste landfill facility for the disposal of non-hazardous waste, and in addition, as such is defined and governed by the pertinent federal regulations.

11) Time, Place and Manner in which interested persons may comment on this Proposed Rulemaking:

The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R93-10 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: May 27, 1993.

B) Types of small businesses affected:

The existing rules and proposed amendments affect small businesses that own or operate a "municipal solid waste landfill facility" for the disposal of non-hazardous waste, as such is defined and governed by the pertinent federal regulations.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

C) Reporting, bookkeeping or other procedures required for compliance:

The existing rules and proposed amendments require extensive reporting, bookkeeping and other procedures, including the preparation of reports, waste analyses and maintenance of operating records. This rulemaking may expand those requirements to the extent that the existing regulations only to the extent that they may own or operate a "municipal solid waste landfill facility" for the disposal of non-hazardous waste, as such is defined and governed by the pertinent federal regulations.

D) Types of professional skills necessary for compliance:

Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist and registered professional engineer. This rulemaking may expand those requirements to the extent that the existing regulations only to the extent that they may own or operate a "municipal solid waste landfill facility" for the disposal of non-hazardous waste, as such is defined and governed by the pertinent federal regulations.

The full text of the proposed amendments begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

"Facility" means a site and all equipment and fixtures on a site used to treat, store or dispose of solid or special wastes. A facility consists of an entire solid or special waste treatment, storage or disposal unit, or a portion thereof, and the connection with it to facilitate the waste disposal operation shall be considered a part of the facility. A facility may include, but is not limited to, one or more solid waste disposal units, buildings, treatment systems, processing and storage operations, and monitoring stations.

"Field capacity" means that maximum moisture content of a waste, under field conditions of temperature and pressure, above which moisture is released by gravity drainage.

"Gas collection system" means a system of wells, trenches, pipes and conduits installed in a landfill, in conjunction with a vacuum compressor housing, and monitoring installations that collect and transport the gas produced in a putrescible waste disposal unit to one or more gas processing points. The flow of gas through such a system may be produced by naturally occurring gas pressure and may also be aided by an induced draft generated by mechanical means.

"Gas condensate" means the liquid formed as a landfill gas is cooled or compressed.

"Gas venting system" means a system of wells, trenches, pipes and other related structures that vents the gas produced in a putrescible waste disposal unit to the atmosphere.

"Geomembranes" means manufactured membrane liners and barriers of low permeability used to control the migration of fluids or gases.

"Geotextiles" are permeable manufactured materials used for purposes which include, but are not limited to, strengthening soil, providing a filter to prevent clogging of drains, collecting and draining liquids and gases beneath the ground surface.

"GROUNDWATER" MEANS UNDERGROUND WATER WHICH OCCURS WITHIN THE SATURATED ZONE AND WITHIN GEOLOGIC MATERIALS WHERE THE FLUID PRESSURE IN THE PORE SPACE IS EQUAL TO OR GREATER THAN ATMOSPHERIC PRESSURE. (Section 3 of the Illinois Groundwater Protection Act)

"HOUSEHOLD WASTE" MEANS ANY SOLID WASTE (INCLUDING GARBAGE, TRASH, AND SANITARY WASTE IN SEPTIC TANKS) DERIVED FROM HOUSEHOLDS (INCLUDING SINGLE AND MULTIPLE RESIDENCES, HOTELS AND MOTELS, BUNKHOUSES, RANGER STATIONS, CREW QUARTERS, CAMPGROUNDS, PICNIC GROUNDS, AND DAY-USE RECREATION AREAS). (Section 3.89 of the Act)

"Hydraulic barriers" means structures designed to prevent or control the seepage of water. Hydraulic barriers include, but are not limited to cutoff walls, slurry walls, grout curtains and liners.

"Inert waste" means any solid waste that will not decompose biologically, burn, or give off gases, vapors, or liquids, or cause an odor, or form a contaminated leachate, as determined in accordance with Section 811.202(b). Such inert wastes shall

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

include only non-biodegradable and non-putrescible solid wastes. Inert wastes may include, but are not limited to, bricks, masonry and concrete (cured for 60 days or more).

"Land application unit" means an area where wastes are agronomically spread over or disked into land or otherwise applied so as to become incorporated into the soil surface. For the purposes of this Part and 35 Ill. Adm. Code 811 through 815, a land application unit is not a landfill; however, it may include the 35 Ill. Adm. Code 811 through 815, and may include the permitting requirements of 35 Ill. Adm. Code 309.

"Landfill" means a unit or part of a facility in or on which waste is placed and accumulated over time for disposal, and which is not a land application unit, and in which the waste is placed and accumulated in a unit or part of a facility in or on which waste is placed and accumulated over time for disposal, and which is not a land application unit. For the purposes of this Part and 35 Ill. Adm. Code 811 through 815, landfills include waste piles, as defined in this Section.

"LATERAL EXPANSION" MEANS A HORIZONTAL EXPANSION OF THE ACTUAL NUMBER OF SOLID WASTE DISPOSAL UNITS OCCURRING ON OR AFTER OCTOBER 9, 1993. FOR THE PURPOSES OF THIS SECTION A HORIZONTAL EXPANSION IS ANY AREA WHERE SOLID WASTE IS PLACED FOR THE FIRST TIME DIRECTLY UPON THE BOTTOM LINER OF THE UNIT ON OR AFTER OCTOBER 9, 1993. (Section 3.88 of the Act)

"Leachate" means liquid that has been or is in direct contact with a solid waste.

"Lift" means an accumulation of waste which is compacted into a unit and over which cover is placed.

"Malodor" means an odor caused by ONE OR MORE CONTAMINANT EMISSIONS INTO THE ATMOSPHERE FROM A FACILITY THAT IS IN SUFFICIENT QUANTITIES AND OF SUCH CHARACTERISTICS AND DURATION AS TO BE DESCRIBED AS MALODOROUS AND WHICH MAY BE INJURIOUS TO HUMAN, PLANT, OR ANIMAL LIFE, TO HEALTH, OR TO PROPERTY, OR TO PUBLIC CONDUCT AND COMFORT (including but not limited to "air pollution"). (Section 3.02 of the Act (defining "air pollution").)

"MUNICIPAL SOLID WASTE LANDFILL UNIT" OR "MSWLF UNIT" MEANS A CONTIGUOUS AREA OF LAND OR AN EXCAVATION THAT RECEIVES HOUSEHOLD WASTE, AND THAT IS NOT A LAND APPLICATION SURFACE, COMPOSTING UNIT, OR TREATMENT UNIT. IT IS NOT A LANDFILL UNIT IF IT RECEIVES A SOLID NONFLOWING WASTE THAT IS USED FOR TREATMENT OR STORAGE. A MSWLF UNIT MAY ALSO RECEIVE OTHER TYPES OF RECA SUITABLE WASTES, SUCH AS COMMERCIAL SOLID WASTE, NONHAZARDOUS SLUDGE, SMALL QUANTITY GENERATOR WASTE AND INDUSTRIAL SOLID WASTE. SUCH A LANDFILL MAY BE PUBLIC OR PRIVATELY OWNED OR OPERATED. A LATERAL EXPANSION OF A SANITARY LANDFILL IS SUBJECT TO REGULATION AS A MSWLF IF IT RECEIVES HOUSEHOLD WASTE. (Section 3.85 of the Act)

"National Pollutant Discharge Elimination System" or "NPDES" means the program for issuing, modifying, revoking and enforcing the National Pollutant Discharge Elimination System, and enforcing pretreatment requirements under the Clean Water Act (33 U.S.C. 1251 et seq.), Section 12(f) of the Environmental

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Protection Act and 35 Ill. Adm. Code 309 Subpart A and 310.
 "NPDES permit" means a permit issued under the NPDES program.
 "New facility" or "New unit" means a solid waste landfill facility or a unit at a facility, if one or more of the following conditions apply:

- It is a landfill or unit exempt from permit requirements pursuant to Section 21(d) of the Act that has not yet accepted any waste as of the effective date of this Part;
- It is a landfill or unit not exempt from permit requirements pursuant to Section 21(d) of the Act that has no development or operating permit issued by the Agency pursuant to 35 Ill. Adm. Code 807 as of the effective date of this Part; or
- It is a landfill with a unit whose maximum design capacity or total extent is increased after the effective date of this Part.

BOARD NOTE: A new unit located in an existing facility shall be considered a unit subject to 35 Ill. Adm. Code 814, which references applicable requirements of 35 Ill. Adm. Code 811.

"NEW MSWLF UNIT" MEANS ANY MUNICIPAL SOLID WASTE LANDFILL UNIT THAT HAS RECEIVED HOUSEHOLD WASTE ON OR AFTER OCTOBER 9, 1993 FOR THE FIRST TIME. (Section 3.86 of the Act)

"One hundred (100) year flood plain" means any land area which is subject to a one percent or greater chance of flooding in a given year from any source.

"One hundred (100) year, 24 hour precipitation event" means a precipitation event of 24 hour duration with a probable recurrence interval of once in 100 years.

"Operator" means the person responsible for the operation and maintenance of a solid waste disposal facility.

"Owner" means a person who has an interest, directly or indirectly, in land including a leasehold interest, on which a person operates and maintaining a solid waste disposal facility. The "owner" is the "operator" if there is no other person who is operating and maintaining a solid waste disposal facility.

"Perched water table" means an elevated water table above a discontinuous saturated lens, resting on a low permeability (such as clay) layer within a high permeability (such as sand) formation.

"Permit area" means the entire horizontal and vertical region occupied by a permitted solid waste disposal facility.

"PERSON" IS ANY INDIVIDUAL, PARTNERSHIP, CO-PARTNERSHIP, FIRM, COMPANY, CORPORATION, ASSOCIATION, JOINT STOCK COMPANY, TRUST, PARTNERSHIP, OR SUBSIDIARY, STATE AGENCY, OR ANY OTHER LEGAL ENTITY, OR THEIR LEGAL REPRESENTATIVE, AGENT OR ASSIGNS. (Section 3.26 of the Act.)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

"Professional engineer" means a person who has registered and obtained a seal pursuant to "The Illinois Professional Engineering Act" (Ill. Rev. Stat 1989, ch. 111, par. 5101 et seq.).

"Professional land surveyor" means a person who has received a Certificate of Registration as a Professional Land Surveyor pursuant to the "Professional Land Surveyors Act" (Ill. Rev. Stat. 1989, ch. 111, par. 3201 et seq.).

"Putrescible waste" means a solid waste that contains organic matter capable of being decomposed by microorganisms so as to produce a gas or gases, or a liquid or liquids, and which is capable of providing food for birds and vectors. Putrescible wastes may form a contaminated leachate from microbiological degradation, chemical processes, and physical processes. Putrescible waste includes, but is not limited to, garbage, offal, dead animals, general household waste, and commercial waste. All chemical wastes shall be considered putrescible wastes.

"Publicly owned treatment works" or "POTW" means a treatment works that is owned by the State of Illinois or a unit of local government. This definition includes any devices and systems used for the treatment of municipal sewage, industrial sewage, or sewage or industrial wastewater. It also includes sewer, pipes and other conveyances only if they convey wastewater to a POTW treatment plant. The term also means the unit of local government which has jurisdiction over the indirect discharges to and the discharges from such a treatment works.

"RESOURCE CONSERVATION RECOVERY ACT" "RCRA" MEANS THE RESOURCE CONSERVATION AND RECOVERY ACT OF 1976 (P.L. 94-580 Codified as 42 USC, § 6901 et seq.) AS AMENDED. (Section 3.90 of the Act)

"Recharge zone" means an area through which water can enter an aquifer.

"Responsible charge," when used to refer to a person, means that the person is normally present at a waste disposal site; directs the day-to-day operation of the site; and either is the owner, operator or agent of the site, or is a person who is the owner or operator to assure that the day-to-day operations at the site are carried out in compliance with any Part of 35 Ill. Adm. Code: Chapter I governing operations at waste disposal sites.

"Runoff" means water resulting from precipitation that flows overland before it enters a defined stream channel. Any portion of such overland flow that infiltrates into the ground before it reaches the stream channel, and any precipitation that falls directly into a stream channel.

"Salvaging" means the return of waste materials to use, under the supervision of the landfill operator, so long as the activity is confined to an area remote from the operating face of the landfill, it does not interfere with or otherwise delay the operations of the landfill, and it results in the removal of all debris from the landfill site daily or separates them by type and stores them in a manner that does not create a nuisance, harbor vectors or cause an unsightly appearance.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

"Scavenging" means the removal of materials from a solid waste management facility or unit which is not salvaging.

"Seismic Slope Safety Factor" means the ratio between the resisting forces or moments in a slope and the driving forces or moments in a slope and the slope is not subjecting an earthquake or other seismic event such as an explosion.

"Settlement" means subsidence caused by waste loading, changes in groundwater level, chemical changes within the soil and adjacent operations involving excavation.

"Shredding" means the mechanical reduction in particle sizes of solid waste. Putrescible waste is considered shredded if 90 percent of the waste by dry weight passes a 3 inch sieve.

"Significant Modification" means a modification to an approved permit issued by the Agency in accordance with Section 39 of the Act and 35 Ill. Adm. Code 813 that is required when one or more of the following changes, considered significant when that change measured by one or more parameters whose values lie outside the expected operating range of values as specified in the permit, are planned, occur or will occur:

An increase in the capacity of the waste disposal unit over the permitted capacity;

Any change in the placement of daily, intermediate or final cover;

A decrease in performance, efficiency or longevity of the liner system;

A decrease in efficiency or performance of the leachate collection system;

A change in configuration, performance, or efficiency of the leachate management system;

A change in the final disposition of treated effluent or in the quality of the discharge from the leachate treatment or pre-treatment system;

Installation of a gas management system, or a decrease in the efficiency or performance of an existing gas management system;

A change in the performance or operation of the surface water control system;

A decrease in the quality or quantity of data from any environmental monitoring system;

A change in the applicable background concentrations or the maximum allowable predicted concentrations;

A change in the design or configuration of the regraded area after development or after final closure;

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

A change in the amount or type of postclosure financial assistance;

Any change in the permit boundary;

A change in the postclosure land use of the property;

A remedial action necessary to protect groundwater;

Transfer of the permit to a new operator;

Operating authorization is being sought to place into operation a structure constructed pursuant to a construction quality assurance program, or

A change in any requirement set forth as a special condition in the permit.

"Sole source aquifer" means those aquifers designated pursuant to Section 1424(e) of the Safe Drinking Water Act of 1974, (42 U.S.C. 300h-3).

"Solid Waste" means a waste that is defined in this Section as an inorganic or organic solid, liquid, or gas, which is not a putrescible waste, as a chemical waste or as a special waste, and which is not also defined as a hazardous waste pursuant to 35 Ill. Adm. Code 721.

"SPECIAL WASTE" MEANS ANY INDUSTRIAL PROCESS WASTE, POLLUTION CONTROL WASTE OR HAZARDOUS WASTE, EXCEPT AS DETERMINED PURSUANT TO SECTION 3 OF THE ACT AND 35 Ill. Adm. Code 808. (Section 3.45 of the Act.)

"Static Safety Factor" means the ratio between resisting forces or moments in a slope and the driving forces or moments that may cause a massive slope failure.

"Surface Impoundment" means a natural topographic depression, a man-made excavation, or a diked area into which flows, seeps, or leaks such as liquid wastes or wastes containing free liquids, are placed. For the purposes of this Part and 35 Ill. Adm. Code 811, a surface impoundment is not a landfill. Other parts of 35 Ill. Adm. Code may apply, including the permitting requirements of 35 Ill. Adm. Code 305.

"Twenty-five (25) year, 24 hour precipitation event" means a precipitation event of 24 hour duration with a probable recurrence interval of once in 25 years.

"Uppermost aquifer" means the first geologic formation above or below the bottom elevation of a constructed liner or wastes, where no liner is present, which is an aquifer, and includes any lower aquifer that is hydraulically connected with this aquifer within the facility's permit area.

"Unit" means a contiguous area used for solid waste disposal.

"Unit of local government" means a unit of local government, as defined by Article 7, Section 1 of the Illinois Constitution. A

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Briefly, the amendments clarify the applicability of Part 814 to existing and new MSWLF units. The amendments also clarify the applicability of the following standards: location standards; foundation and mass stability requirements; ground water impact assessment; liner and leachate collection systems; groundwater monitoring program; and groundwater quality standards.

6) Will this proposed rule replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Do these proposed amendments contain incorporations by reference? No.

9) Are there any other amendments pending on this part? No.

10) Statement of Statewide Policy Objectives:

This rulemaking is mandated by pending Section 22.40 (H.B. 299) of the Environmental Protection Act. The statewide policy objectives are set forth in Section 20 of that Act. This rulemaking is adopted by the USEPA to implement Sections 4004 and 4010 of the Resource Conservation and Recovery Act (RCRA), as amended (Public Law 96-71, 90 Stat. 2693, 1976), and federally-mandated. This rulemaking imposes the federal mandates on units of local government only to the extent that they may own or operate a "municipal solid waste landfill facility" for the disposal of non-hazardous waste, as such is defined and governed by the pertinent federal regulations.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

The Board will accept written public comment on this proposal for a period of 30 days from the date of this publication. Comments should reference Docket #93-10 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
Rasmussen Bldg.
Chicago, IL 60601

12) Initial Regulatory Flexibility Analysis:

A) Data rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: May 27, 1993.

B) Types of small businesses affected:

The existing rules and proposed amendments affect small businesses that own or operate municipal solid waste landfill facilities for the disposal of non-hazardous waste, as such is defined and governed by the pertinent federal regulations.

C) Reporting, bookkeeping or other procedures required for compliance:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

The existing rules and proposed amendments require extensive reporting, bookkeeping and other procedures, including the preparation of a "Municipal Solid Waste Landfill Facility" for the first time on facilities previously exempted from the existing regulations only to the extent that they may own or operate a "municipal solid waste landfill facility" for the disposal of non-hazardous waste, as such is defined and governed by the pertinent federal regulations.

D) Type of professional skills necessary for compliance:

Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist and engineer. The proposed amendments will impose these requirements and impose them for the first time on facilities previously exempted from the existing regulations only to the extent that they may own or operate a "municipal solid waste landfill facility" for the disposal of non-hazardous waste, as such is defined and governed by the pertinent federal regulations.

The full text of the proposed amendments begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35, ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER 1: POLLUTION CONTROL BOARD

SUBCHAPTER 1: SOLID WASTE AND SPECIAL WASTE HAULING

PART 814

STANDARDS FOR EXISTING LANDFILLS AND UNITS

SUPPORT A: GENERAL REQUIREMENTS

Scope and Applicability

Section 814.101

814.102

814.103

814.104

814.105

814.106

814.107

814.108

814.109

814.110

814.111

814.112

814.113

814.114

814.115

814.116

814.117

814.118

814.119

814.120

814.121

814.122

814.123

814.124

814.125

814.126

814.127

814.128

814.129

814.130

814.131

814.132

814.133

814.134

814.135

814.136

814.137

814.138

814.139

814.140

814.141

814.142

814.143

814.144

814.145

814.146

814.147

814.148

814.149

814.150

814.151

814.152

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35, ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER 1: POLLUTION CONTROL BOARD

SUBCHAPTER 1: SOLID WASTE AND SPECIAL WASTE HAULING

PART 814

STANDARDS FOR EXISTING LANDFILLS AND UNITS

SUPPORT A: GENERAL REQUIREMENTS

Scope and Applicability

Section 814.101

814.102

814.103

814.104

814.105

814.106

814.107

814.108

814.109

814.110

814.111

814.112

814.113

814.114

814.115

814.116

814.117

814.118

814.119

814.120

814.121

814.122

814.123

814.124

814.125

814.126

814.127

814.128

814.129

814.130

814.131

814.132

814.133

814.134

814.135

814.136

814.137

814.138

814.139

814.140

814.141

814.142

814.143

814.144

814.145

814.146

814.147

814.148

814.149

814.150

814.151

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35, ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER 1: POLLUTION CONTROL BOARD

SUBCHAPTER 1: SOLID WASTE AND SPECIAL WASTE HAULING

PART 814

STANDARDS FOR EXISTING LANDFILLS AND UNITS

SUPPORT A: GENERAL REQUIREMENTS

Scope and Applicability

Section 814.101

814.102

814.103

814.104

814.105

814.106

814.107

814.108

814.109

814.110

814.111

814.112

814.113

814.114

814.115

814.116

814.117

814.118

814.119

814.120

814.121

814.122

814.123

814.124

814.125

814.126

814.127

814.128

814.129

814.130

814.131

814.132

814.133

814.134

814.135

814.136

814.137

814.138

814.139

814.140

814.141

814.142

814.143

814.144

814.145

814.146

814.147

814.148

814.149

814.150

814.151

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

will be closed pursuant to Subpart E within two years of the effective date of this Part.

- b) The owner or operator of an existing unit shall submit information required by 35 Ill. Adm. Code 812 to demonstrate compliance with Subpart B, Subpart C or Subpart D, whichever is applicable.

- c) The application shall be filed within 48 months of the effective date of this Part. The application shall specify in writing pursuant to 35 Ill. Adm. Code 807.209 or 813.201(b).

- d) The application shall be made pursuant to the procedures of 35 Ill. Adm. Code 813.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 814.105 Effect of Timely Filing of Notification and Application for Significant Modification

- a) Permits issued pursuant to 35 Ill. Adm. Code 807 prior to the effective date of this Part remain in full force and effect until superseded by a permit issued pursuant to this Part or until revoked as a result of an enforcement action brought pursuant to Title VIII of the Act.

- b) An owner or operator who has timely filed a notification pursuant to Section 814.103 and an application for significant permit modification pursuant to Section 814.104 shall continue operation under the terms of its existing permits until final determination by the Agency on its application and any subsequent appeal to the Board pursuant to Section 40 of the Act. During this time, the owner or operator will be deemed to be in compliance with all requirements of this Part.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 814.107 Permit Requirements for Existing MSWLF Units

- a) EXCEPT FOR A LATERAL EXPANSION OF AN EXISTING MSWLF UNIT, TO RECEIVE A PERMIT MODIFICATION UNDER SECTION 21(c) OF THE ACT, BY SEPTEMBER 1, 1993, OR WITHIN 30 DAYS FOLLOWING THE EFFECTIVE DATE OF P.A. 88-082 (Date, 1993), WHICHEVER OCCURS FIRST, THE OWNER OR OPERATOR OF AN EXISTING MSWLF UNIT SHALL SUBMIT TO THE AGENCY A PERMIT MODIFICATION APPLICATION UNDER SECTION 21(c) OF THE ACT, OR A PERMIT MODIFICATION APPLICATION HAS BEEN ISSUED UNDER SECTION 21(d) OF THE ACT, ON FORMS PRESCRIBED AND PROVIDED BY THE AGENCY.

- b) PERSONS WHO SUBMIT AN APPLICATION FOR A PERMIT OR PERMIT MODIFICATION UNDER SECTION 21(c) OF THE ACT SHALL BE DEEMED TO HAVE AN INTERIM PERMIT OR INTERIM PERMIT MODIFICATION ON OCTOBER 9, 1993, OR 30 CALENDAR DAYS AFTER THE AGENCY RECEIVES THE APPLICATION UNDER SUBSECTION (a) ABOVE AND SECTION 22.42(a) OF THE ACT, WHICHEVER OCCURS FIRST, EXCEPT THAT:

- 1) THE AGENCY MAY IMPOSE SUCH CONDITIONS TO THE INTERIM PERMIT OR INTERIM PERMIT MODIFICATION LAW AS MAY BE NECESSARY TO ACCOMPLISH THE PURPOSES OF THE ACT AND AS ARE NOT INCONSISTENT WITH THE REGULATIONS DESCRIBED IN SECTION 22.41 OF THE ACT.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 2) NO INTERIM PERMIT OR INTERIM PERMIT MODIFICATION SHALL BE DEEMED ISSUED UNDER THIS SUBSECTION AND SUBSECTION 22.42(b) OF THE ACT IF THE AGENCY PROVIDES WRITTEN NOTIFICATION TO THE APPLICANT, BY REGISTERED MAIL, THAT THE APPLICATION DOES NOT COMPLY WITH THE ACT, AND RECEIVES THE APPLICATION UNDER THIS SECTION, WHICHEVER OCCURS FIRST, THAT:

- a) THE APPLICATION IS INCOMPLETE; OR

- b) THE APPLICANT MUST SUBMIT AN APPLICATION FOR A LATERAL EXPANSION PURSUANT TO SECTION 21(c) OF THE ACT.

- 3) AN INTERIM PERMIT OR AN INTERIM PERMIT MODIFICATION DEEMED ISSUED UNDER THIS SECTION AND SECTION 22.42 OF THE ACT TO AN EXISTING MSWLF UNIT SHALL EXPIRE UPON THE OCCURRENCE OF THE FOLLOWING, WHICHEVER OCCURS FIRST:

- 1) SIX CALENDAR YEARS FROM THE DATE UPON WHICH THE INTERIM PERMIT OR INTERIM PERMIT MODIFICATION WAS DEEMED TO BE ISSUED UNDER THIS SECTION AND SECTION 22.42 OF THE ACT, EXCEPT THAT IN THE EVENT THAT THE AGENCY PROVIDES WRITTEN NOTIFICATION TO THE APPLICANT, BY REGISTERED MAIL, THAT THE APPLICATION DOES NOT COMPLY WITH THE ACT, OR IN THE EVENT THAT A BOARD REVIEW OF A PERMIT DENIAL OR CONDITIONS OF A PERMIT OR SIGNIFICANT MODIFICATION OF THE PERMIT FOR THE MSWLF UNIT PURSUANT TO SECTION 40 OR 41 OF THE ACT IS PENDING AT THE END OF SIX CALENDAR YEAR PERIOD, THE INTERIM PERMIT OR INTERIM PERMIT MODIFICATION SHALL EXPIRE UPON THE DATE OF THE WRITTEN NOTIFICATION ACTION ON THE APPLICATION OR UPON THE CONCLUSION OF THE BOARD PROCEEDING UNDER SECTIONS 40 OR 41 OF THE ACT, INCLUDING THE EXHAUSTION OF ALL RIGHTS OF APPEAL OF THE PARTIES TO THE PROCEEDING.

- 2) FINAL ACTION BY THE AGENCY ON AN APPLICATION FOR A PERMIT OR SIGNIFICANT MODIFICATION OF A PERMIT ON OR AFTER OCTOBER 9, 1993, FOR THE MSWLF UNIT WHERE THE AGENCY NOTIFIES THE APPLICANT THAT THE AGENCY'S REVIEW OF THE APPLICATION INCLUDED A REVIEW OF THE MSWLF UNIT'S COMPLIANCE WITH BOARD RULES ADOPTED UNDER SECTION 22.40 OR 22.41 OF THE ACT.

- 3) THE BOARD REVOKES THE INTERIM PERMIT OR THE INTERIM PERMIT MODIFICATION DEEMED ISSUED UNDER THIS SECTION AND SECTION 22.42 OF THE ACT IN AN ENFORCEMENT ACTION BROUGHT UNDER THE ACT. (Section 22.42 of the Act.)

(Source: Added at 17 Ill. Reg. _____, effective _____)

Section 814.108 Permit Requirements for Lateral Expansions at Existing MSWLF Units

- a) NO PERSON SHALL OBTAIN OR ALLOW A LATERAL EXPANSION OF A MUNICIPAL SOLID WASTE LANDFILL UNIT ON OR AFTER OCTOBER 9, 1993, WITHOUT A PERMIT MODIFICATION GRANTED BY THE AGENCY, THAT AUTHORIZES THE LATERAL EXPANSION. (Section 21(c) of the Act.)

- b) Owners or operators of existing MSWLF units planning lateral expansions shall submit to the agency an application for a permit a permit modification.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

c) The owner or operator filing an application pursuant to subsection (b) shall submit information required by 35 Ill. Adm. Code 811.302 to the Pollution Control Board for review and approval. The Board shall determine if the applicant is in compliance with Subpart C of Subpart D, which governs the application of this section in accordance with the requirements and procedures of 35 Ill. Adm. Code 813.

d) The application shall be made pursuant to the procedures of 35 Ill. Adm. Code 811.

e) The Agency shall review applications for permit modification filed under this section in accordance with the requirements and procedures of 35 Ill. Adm. Code 813.

(Source: Added at 17 Ill. Reg. _____, effective _____)

SUBPART C: STANDARDS FOR EXISTING UNITS ACCEPTING CHEMICAL AND/OR PUTRESCIBLE WASTES THAT MAY REMAIN OPEN FOR MORE THAN SEVEN YEARS

Section 814.302 Applicable Standards

a) All of the requirements for new units described in 35 Ill. Adm. Code 811 shall apply to units regulated under this Subpart except the following:

1) The location standards in 35 Ill. Adm. Code 811.302(a), (d), and (e);

2) The foundation and mass stability analysis standards in 35 Ill. Adm. Code 811.304 and 811.305;

3) The final cover requirements of 35 Ill. Adm. Code 811.314 shall not apply to units or parts of units closed, covered and vegetated prior to the effective date of this Part.

4) The liner and leachate drainage and collection requirements of 35 Ill. Adm. Code 811.306, 811.307, and 811.308; and

5) The hydrogeological site investigation requirements of 35 Ill. Adm. Code 811.315, except that information shall be collected to implement a groundwater monitoring program in accordance with 35 Ill. Adm. Code 811.306, 811.307, and 811.308; and the background concentrations for the purpose of establishing water quality standards pursuant to 35 Ill. Adm. Code 811.320; and

b) Units regulated under this Subpart shall be subject to the following standards:

1) The unit must be equipped with a system which will effectively drain and collect leachate and transport it to a leachate management system;

2) The owner or operator shall provide a long-term static safety factor of at least 1.5 to protect a completed unit against slope failure;

3) Calculation of the Design Period

For the purposes of calculating financial assurance for existing

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

landfills, other than existing MSWLF units and lateral expansions. The design period shall be calculated as follows:

- The design period shall be no less than the operating life of the landfill plus fifteen years of postclosure care;
- The postclosure care period shall be extended by three years for the units expected to remain in operation up to the applicable date established by 35 Ill. Adm. Code 811.301 (for example, an existing unit with expected operating lives of three, seven or 12 years after the effective date of this Part would be required to provide financial assurance during operation and for a postclosure care period of either 15 years or 18 years, respectively). The design period shall be specified in subsection (b)(3)(A); 21 years since 3 x 7 = 21 years; or 30 years since 3 x 13 = 39 years is greater than the 30 years specified in Section 811.303(a), respectively); and
- The design period may not be reduced as allowed by 35 Ill. Adm. Code 811.303(b) and (c).

c) Notwithstanding any exemptions under subsection (a), existing MSWLF units shall be subject to the following requirements:

- The location standard at 35 Ill. Adm. Code 811.302(e); and
- The foundation and mass stability standards at 35 Ill. Adm. Code 811.304 and 811.305.

d) Notwithstanding any exemptions under subsection (a) or any requirements under subsection (b), existing units and existing MSWLF units shall be subject to the following requirements:

- The location standard at 35 Ill. Adm. Code 811.302(e);
- The foundation and mass stability standards at 35 Ill. Adm. Code 811.304 and 811.305;
- The liner and leachate drainage and collection requirements at 35 Ill. Adm. Code 811.306, 811.307, and 811.308; and
- The groundwater impact assessment requirements at 35 Ill. Adm. Code 811.317

(Source: Amended at 17 Ill. Reg. _____, effective _____)

SUBPART D: STANDARDS FOR EXISTING UNITS ACCEPTING CHEMICAL AND/OR PUTRESCIBLE WASTES THAT MUST INITIATE CLOSURE WITHIN SEVEN YEARS

Section 814.402 Applicable Standards

a) All of the requirements for new units described in 35 Ill. Adm. Code 811 shall apply to units regulated under this Subpart except the following:

- The location standards in 35 Ill. Adm. Code 811.302(a), (c), (d), and (e);

POLLUTION CONTROL BOARD
NOTICE OF PROPOSED AMENDMENTS

- 2) The foundation and mass stability analysis standards in 35 Ill. Adm. Code 811.304 and 811.305;
 - 3) The liner and leachate drainage and collection requirements of 35 Ill. Adm. Code 811.306, 811.307, and 811.308;
 - 4) The final cover requirements of 35 Ill. Adm. Code 811.314 shall not apply to units or parts of units closed, covered and vegetated prior to the effective date of this Part;
 - 5) The hydrogeological site investigation requirements of 35 Ill. Adm. Code 811.315;
 - 6) The groundwater impact assessment standards of 35 Ill. Adm. Code 811.317;
 - 7) The groundwater monitoring program requirements of 35 Ill. Adm. Code 811.318(c); and
 - 8) The groundwater quality standards of 35 Ill. Adm. Code 811.320(a), (b) and (c).
- b) The following standards shall apply to units regulated under this Subpart:
- 1) No new units shall be opened and an existing unit may not expand beyond the area included in a permit prior to the effective date of this Part. The permit shall be renewed or the unit shall be closed and the area needed for landfilling to continue until closure is initiated.
 - 2) After the effective date of this Part, the unit may not apply for Supplemental Permit to accept new leachate or other liquids. However, the unit may continue to accept existing leachate under permits existing prior to the effective date of this Part and may renew those permits as necessary.

3) Groundwater Standards

- A unit shall not contaminate a source of drinking water at the compliance boundary, defined as any point on the edge of the unit at or below the ground surface. At any point on the compliance boundary, the concentration of constituents shall not exceed the groundwater quality standard specified in 35 Ill. Adm. Code 302.301, 302.303, 302.304, 302.305, 302.306, 302.307, 302.308, 302.309, 302.310, 302.311, 302.312, 302.313, 302.314, 302.315, 302.316, 302.317, 302.318, 302.319, 302.320, 302.321, 302.322, 302.323, 302.324, 302.325, 302.326, 302.327, 302.328, 302.329, 302.330, 302.331, 302.332, 302.333, 302.334, 302.335, 302.336, 302.337, 302.338, 302.339, 302.340, 302.341, 302.342, 302.343, 302.344, 302.345, 302.346, 302.347, 302.348, 302.349, 302.350, 302.351, 302.352, 302.353, 302.354, 302.355, 302.356, 302.357, 302.358, 302.359, 302.360, 302.361, 302.362, 302.363, 302.364, 302.365, 302.366, 302.367, 302.368, 302.369, 302.370, 302.371, 302.372, 302.373, 302.374, 302.375, 302.376, 302.377, 302.378, 302.379, 302.380, 302.381, 302.382, 302.383, 302.384, 302.385, 302.386, 302.387, 302.388, 302.389, 302.390, 302.391, 302.392, 302.393, 302.394, 302.395, 302.396, 302.397, 302.398, 302.399, 302.400, 302.401, 302.402, 302.403, 302.404, 302.405, 302.406, 302.407, 302.408, 302.409, 302.410, 302.411, 302.412, 302.413, 302.414, 302.415, 302.416, 302.417, 302.418, 302.419, 302.420, 302.421, 302.422, 302.423, 302.424, 302.425, 302.426, 302.427, 302.428, 302.429, 302.430, 302.431, 302.432, 302.433, 302.434, 302.435, 302.436, 302.437, 302.438, 302.439, 302.440, 302.441, 302.442, 302.443, 302.444, 302.445, 302.446, 302.447, 302.448, 302.449, 302.450, 302.451, 302.452, 302.453, 302.454, 302.455, 302.456, 302.457, 302.458, 302.459, 302.460, 302.461, 302.462, 302.463, 302.464, 302.465, 302.466, 302.467, 302.468, 302.469, 302.470, 302.471, 302.472, 302.473, 302.474, 302.475, 302.476, 302.477, 302.478, 302.479, 302.480, 302.481, 302.482, 302.483, 302.484, 302.485, 302.486, 302.487, 302.488, 302.489, 302.490, 302.491, 302.492, 302.493, 302.494, 302.495, 302.496, 302.497, 302.498, 302.499, 302.500, 302.501, 302.502, 302.503, 302.504, 302.505, 302.506, 302.507, 302.508, 302.509, 302.510, 302.511, 302.512, 302.513, 302.514, 302.515, 302.516, 302.517, 302.518, 302.519, 302.520, 302.521, 302.522, 302.523, 302.524, 302.525, 302.526, 302.527, 302.528, 302.529, 302.530, 302.531, 302.532, 302.533, 302.534, 302.535, 302.536, 302.537, 302.538, 302.539, 302.540, 302.541, 302.542, 302.543, 302.544, 302.545, 302.546, 302.547, 302.548, 302.549, 302.550, 302.551, 302.552, 302.553, 302.554, 302.555, 302.556, 302.557, 302.558, 302.559, 302.560, 302.561, 302.562, 302.563, 302.564, 302.565, 302.566, 302.567, 302.568, 302.569, 302.570, 302.571, 302.572, 302.573, 302.574, 302.575, 302.576, 302.577, 302.578, 302.579, 302.580, 302.581, 302.582, 302.583, 302.584, 302.585, 302.586, 302.587, 302.588, 302.589, 302.590, 302.591, 302.592, 302.593, 302.594, 302.595, 302.596, 302.597, 302.598, 302.599, 302.600, 302.601, 302.602, 302.603, 302.604, 302.605, 302.606, 302.607, 302.608, 302.609, 302.610, 302.611, 302.612, 302.613, 302.614, 302.615, 302.616, 302.617, 302.618, 302.619, 302.620, 302.621, 302.622, 302.623, 302.624, 302.625, 302.626, 302.627, 302.628, 302.629, 302.630, 302.631, 302.632, 302.633, 302.634, 302.635, 302.636, 302.637, 302.638, 302.639, 302.640, 302.641, 302.642, 302.643, 302.644, 302.645, 302.646, 302.647, 302.648, 302.649, 302.650, 302.651, 302.652, 302.653, 302.654, 302.655, 302.656, 302.657, 302.658, 302.659, 302.660, 302.661, 302.662, 302.663, 302.664, 302.665, 302.666, 302.667, 302.668, 302.669, 302.670, 302.671, 302.672, 302.673, 302.674, 302.675, 302.676, 302.677, 302.678, 302.679, 302.680, 302.681, 302.682, 302.683, 302.684, 302.685, 302.686, 302.687, 302.688, 302.689, 302.690, 302.691, 302.692, 302.693, 302.694, 302.695, 302.696, 302.697, 302.698, 302.699, 302.700, 302.701, 302.702, 302.703, 302.704, 302.705, 302.706, 302.707, 302.708, 302.709, 302.710, 302.711, 302.712, 302.713, 302.714, 302.715, 302.716, 302.717, 302.718, 302.719, 302.720, 302.721, 302.722, 302.723, 302.724, 302.725, 302.726, 302.727, 302.728, 302.729, 302.730, 302.731, 302.732, 302.733, 302.734, 302.735, 302.736, 302.737, 302.738, 302.739, 302.740, 302.741, 302.742, 302.743, 302.744, 302.745, 302.746, 302.747, 302.748, 302.749, 302.750, 302.751, 302.752, 302.753, 302.754, 302.755, 302.756, 302.757, 302.758, 302.759, 302.760, 302.761, 302.762, 302.763, 302.764, 302.765, 302.766, 302.767, 302.768, 302.769, 302.770, 302.771, 302.772, 302.773, 302.774, 302.775, 302.776, 302.777, 302.778, 302.779, 302.780, 302.781, 302.782, 302.783, 302.784, 302.785, 302.786, 302.787, 302.788, 302.789, 302.790, 302.791, 302.792, 302.793, 302.794, 302.795, 302.796, 302.797, 302.798, 302.799, 302.800, 302.801, 302.802, 302.803, 302.804, 302.805, 302.806, 302.807, 302.808, 302.809, 302.810, 302.811, 302.812, 302.813, 302.814, 302.815, 302.816, 302.817, 302.818, 302.819, 302.820, 302.821, 302.822, 302.823, 302.824, 302.825, 302.826, 302.827, 302.828, 302.829, 302.830, 302.831, 302.832, 302.833, 302.834, 302.835, 302.836, 302.837, 302.838, 302.839, 302.840, 302.841, 302.842, 302.843, 302.844, 302.845, 302.846, 302.847, 302.848, 302.849, 302.850, 302.851, 302.852, 302.853, 302.854, 302.855, 302.856, 302.857, 302.858, 302.859, 302.860, 302.861, 302.862, 302.863, 302.864, 302.865, 302.866, 302.867, 302.868, 302.869, 302.870, 302.871, 302.872, 302.873, 302.874, 302.875, 302.876, 302.877, 302.878, 302.879, 302.880, 302.881, 302.882, 302.883, 302.884, 302.885, 302.886, 302.887, 302.888, 302.889, 302.890, 302.891, 302.892, 302.893, 302.894, 302.895, 302.896, 302.897, 302.898, 302.899, 302.900, 302.901, 302.902, 302.903, 302.904, 302.905, 302.906, 302.907, 302.908, 302.909, 302.910, 302.911, 302.912, 302.913, 302.914, 302.915, 302.916, 302.917, 302.918, 302.919, 302.920, 302.921, 302.922, 302.923, 302.924, 302.925, 302.926, 302.927, 302.928, 302.929, 302.930, 302.931, 302.932, 302.933, 302.934, 302.935, 302.936, 302.937, 302.938, 302.939, 302.940, 302.941, 302.942, 302.943, 302.944, 302.945, 302.946, 302.947, 302.948, 302.949, 302.950, 302.951, 302.952, 302.953, 302.954, 302.955, 302.956, 302.957, 302.958, 302.959, 302.960, 302.961, 302.962, 302.963, 302.964, 302.965, 302.966, 302.967, 302.968, 302.969, 302.970, 302.971, 302.972, 302.973, 302.974, 302.975, 302.976, 302.977, 302.978, 302.979, 302.980, 302.981, 302.982, 302.983, 302.984, 302.985, 302.986, 302.987, 302.988, 302.989, 302.990, 302.991, 302.992, 302.993, 302.994, 302.995, 302.996, 302.997, 302.998, 302.999, 303.000, 303.001, 303.002, 303.003, 303.004, 303.005, 303.006, 303.007, 303.008, 303.009, 303.010, 303.011, 303.012, 303.013, 303.014, 303.015, 303.016, 303.017, 303.018, 303.019, 303.020, 303.021, 303.022, 303.023, 303.024, 303.025, 303.026, 303.027, 303.028, 303.029, 303.030, 303.031, 303.032, 303.033, 303.034, 303.035, 303.036, 303.037, 303.038, 303.039, 303.040, 303.041, 303.042, 303.043, 303.044, 303.045, 303.046, 303.047, 303.048, 303.049, 303.050, 303.051, 303.052, 303.053, 303.054, 303.055, 303.056, 303.057, 303.058, 303.059, 303.060, 303.061, 303.062, 303.063, 303.064, 303.065, 303.066, 303.067, 303.068, 303.069, 303.070, 303.071, 303.072, 303.073, 303.074, 303.075, 303.076, 303.077, 303.078, 303.079, 303.080, 303.081, 303.082, 303.083, 303.084, 303.085, 303.086, 303.087, 303.088, 303.089, 303.090, 303.091, 303.092, 303.093, 303.094, 303.095, 303.096, 303.097, 303.098, 303.099, 303.100, 303.101, 303.102, 303.103, 303.104, 303.105, 303.106, 303.107, 303.108, 303.109, 303.110, 303.111, 303.112, 303.113, 303.114, 303.115, 303.116, 303.117, 303.118, 303.119, 303.120, 303.121, 303.122, 303.123, 303.124, 303.125, 303.126, 303.127, 303.128, 303.129, 303.130, 303.131, 303.132, 303.133, 303.134, 303.135, 303.136, 303.137, 303.138, 303.139, 303.140, 303.141, 303.142, 303.143, 303.144, 303.145, 303.146, 303.147, 303.148, 303.149, 303.150, 303.151, 303.152, 303.153, 303.154, 303.155, 303.156, 303.157, 303.158, 303.159, 303.160, 303.161, 303.162, 303.163, 303.164, 303.165, 303.166, 303.167, 303.168, 303.169, 303.170, 303.171, 303.172, 303.173, 303.174, 303.175, 303.176, 303.177, 303.178, 303.179, 303.180, 303.181, 303.182, 303.183, 303.184, 303.185, 303.186, 303.187, 303.188, 303.189, 303.190, 303.191, 303.192, 303.193, 303.194, 303.195, 303.196, 303.197, 303.198, 303.199, 303.200, 303.201, 303.202, 303.203, 303.204, 303.205, 303.206, 303.207, 303.208, 303.209, 303.210, 303.211, 303.212, 303.213, 303.214, 303.215, 303.216, 303.217, 303.218, 303.219, 303.220, 303.221, 303.222, 303.223, 303.224, 303.225, 303.226, 303.227, 303.228, 303.229, 303.230, 303.231, 303.232, 303.233, 303.234, 303.235, 303.236, 303.237, 303.238, 303.239, 303.240, 303.241, 303.242, 303.243, 303.244, 303.245, 303.246, 303.247, 303.248, 303.249, 303.250, 303.251, 303.252, 303.253, 303.254, 303.255, 303.256, 303.257, 303.258, 303.259, 303.260, 303.261, 303.262, 303.263, 303.264, 303.265, 303.266, 303.267, 303.268, 303.269, 303.270, 303.271, 303.272, 303.273, 303.274, 303.275, 303.276, 303.277, 303.278, 303.279, 303.280, 303.281, 303.282, 303.283, 303.284, 303.285, 303.286, 303.287, 303.288, 303.289, 303.290, 303.291, 303.292, 303.293, 303.294, 303.295, 303.296, 303.297, 303.298, 303.299, 303.300, 303.301, 303.302, 303.303, 303.304, 303.305, 303.306, 303.307, 303.308, 303.309, 303.310, 303.311, 303.312, 303.313, 303.314, 303.315, 303.316, 303.317, 303.318, 303.319, 303.320, 303.321, 303.322, 303.323, 303.324, 303.325, 303.326, 303.327, 303.328, 303.329, 303.330, 303.331, 303.332, 303.333, 303.334, 303.335, 303.336, 303.337, 303.338, 303.339, 303.340, 303.341, 303.342, 303.343, 303.344, 303.345, 303.346, 303.347, 303.348, 303.349, 303.350, 303.351, 303.352, 303.353, 303.354, 303.355, 303.356, 303.357, 303.358, 303.359, 303.360, 303.361, 303.362, 303.363, 303.364, 303.365, 303.366, 303.367, 303.368, 303.369, 303.370, 303.371, 303.372, 303.373, 303.374, 303.375, 303.376, 303.377, 303.378, 303.379, 303.380, 303.381, 303.382, 303.383, 303.384, 303.385, 303.386, 303.387, 303.388, 303.389, 303.390, 303.391, 303.392, 303.393, 303.394, 303.395, 303.396, 303.397, 303.398, 303.399, 303.400, 303.401, 303.402, 303.403, 303.404, 303.405, 303.406, 303.407, 303.408, 303.409, 303.410, 303.411, 303.412, 303.413, 303.414, 303.415, 303.416, 303.417, 303.418, 303.419, 303.420, 303.421, 303.422, 303.423, 303.424, 303.425, 303.426, 303.427, 303.428, 303.429, 303.430, 303.431, 303.432, 303.433, 303.434, 303.435, 303.436, 303.437, 303.438, 303.439, 303.440, 303.441, 303.442, 303.443, 303.444, 303.445, 303.446, 303.447, 303.448, 303.449, 303.450, 303.451, 303.452, 303.453, 303.454, 303.455, 303.456, 303.457, 303.458, 303.459, 303.460, 303.461, 303.462, 303.463, 303.464, 303.465, 303.466, 303.467, 303.468, 303.469, 303.470, 303.471, 303.472, 303.473, 303.474, 303.475, 303.476, 303.477, 303.478, 303.479, 303.480, 303.481, 303.482, 303.483, 303.484, 303.485, 303.486, 303.487, 303.488, 303.489, 303.490, 303.491, 303.492, 303.493, 303.494, 303.495, 303.496, 303.497, 303.498, 303.499, 303.500, 303.501, 303.502, 303.503, 303.504, 303.505, 303.506, 303.507, 303.508, 303.509, 303.510, 303.511, 303.512, 303.513, 303.514, 303.515, 303.516, 303.517, 303.518, 303.519, 303.520, 303.521, 303.522, 303.523, 303.524, 303.525, 303.526, 303.527, 303.528, 303.529, 303.530, 303.531, 303.532, 303.533, 303.534, 303.535, 303.536, 303.537, 303.538, 303.539, 303.540, 303.541, 303.542, 303.543, 303.544, 303.545, 303.546, 303.547, 303.548, 303.549, 303.550, 303.551, 303.552, 303.553, 303.554, 303.555, 303.556, 303.557, 303.558, 303.559, 303.560, 303.561, 303.562, 303.563, 303.564, 303.565, 303.566, 303.567, 303.568, 303.569, 303.570, 303.571, 303.572, 303.573, 303.574, 303.575, 303.576, 303.577, 303.578, 303.579, 303.580, 303.581, 303.582, 303.583, 303.584, 303.585, 303.586, 303.587, 303.588, 303.589, 303.590

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 4) The groundwater impact assessment requirements at 35 Ill. Adm. Code 811.311
- 5) The groundwater monitoring systems requirements at 35 Ill. Adm. Code 811.318.
- 6) The groundwater quality standards at 35 Ill. Adm. Code 811.320.

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

SUBPART E: STANDARDS FOR EXISTING UNITS ACCEPTING INERT WASTE ONLY, ON ACCEPTING INERT WASTE UNITS THAT MUST INITIATE CLOSURE WITHIN TWO YEARS

Section 814.501 Scope and Applicability

- a) The standards in this Subpart are applicable to all existing units of solid waste landfills, including the existing units that are added to existing landfills, on acceptance of inert waste, that accept inert waste only, or which accept chemical and putrescible wastes.
- b) All units that cannot demonstrate compliance with the requirements of Subpart E shall be required to accept inert waste and be added to the list of units that must begin closure within two years of the effective date of this Part.
- c) A new permit shall not be required for any facility at which all units will close within two years of the effective date of this Part.

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Heading of the Part: STANDARDS FOR NEW SOLID WASTE LANDFILLS

- 2) Code Citation: 35 Ill. Adm. Code 811

Section Numbers:	Proposed Action:
811.101, 811.107, 811.110	Amendment
811.112	Amendment
811.302, 811.303, 811.319	New Section
811.323	Amendment
811.324, 811.325, 811.326	New Section
811.702, 811.703, 811.704	Amendment
811.705, 811.706, 811.707	Amendment
811.708, 811.709, 811.710	Amendment
811.712, 811.713, 811.714	Amendment
811.715	Amendment
811.App. B	New Section

- 4) Statutory Authority: Implementing Sections 5, 21, 21.1, 22, 22.17, 22.40 and 28.1, and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1005, 1021, 1021.1, 1022, 1022.17, 1022.40, 1028.1 and 1027 [415 ILCS 5/5, 5/21, 5/21.1, 5/22, 5/22.17, 5/22.40, 5/28.1 and 5/27]).

A Complete Description of the Subjects and Issues Involved:

A more detailed description is contained in the proposed opinion that has been submitted to the Board on June 3, 1993, in R35-10, which opinion is available from the address below.

The Board is initiating certain amendments to Parts 810, 811, and 814 of its nonhazardous waste landfill regulations so as to make them at least as stringent as the USEPA regulations implementing Subtitle D of the Resource Conservation and Recovery Act (RCRA), which regulations are found at address Municipal Solid Waste Landfill Facilities (MSWLF). The federal Subtitle D landfill regulations are found at 40 CFR 258. The federal rulemaking updates Illinois Nonhazardous Waste Landfill rules to correspond with the major federal rulemaking of October 9, 1991, at 56 Fed. Reg. 50978.

The enabling State legislation, HB 299, contains a new Section 22.40 in the Environmental Protection Act (Act) which mandates Board rulemaking. This mandate requires that the Board adopt regulations pursuant to Section 7.2 of the Act that are identical in substance to regulations promulgated by the USEPA pursuant to RCRA, and that the Board also promulgate Conservation and Recovery Act of 1976 [P.L. 94-580 codified 42 U.S.C. §§ 6944 & 6950]. Presently pending Section 22.40 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1022.40 [415 ILCS 5/22.40], H.B. 299) provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to the Administrative Procedure Act, it is not subject to first notice or to second notice review by JCAR.

The Board is now starting the "public comment" phase of this rulemaking to expedite the submittal of the amendments to the USEPA for its authorization review well in advance of the federally-imposed deadline

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

of October 9, 1993, if such action is consistent with the Governor's action on HB 299. Equally important, the Board is also seeking to minimize compliance confusion during the transition period by being in a position to make any necessary changes to the Board's existing landfill regulations.

Specifically, the amendments to Part 811 include several changes and additions to the existing standards applicable new landfills in order to bring them into compliance with the requirements of the Resource Conservation and Recovery Act (RCRA). Subtitle D of the Resource Conservation and Recovery Act (RCRA). Briefly, the amendments clarify the applicability of Part 811 to new MSWLF units and specify the additional requirements relating to the following standards:

- (i) Location standards: restricts locating new MSWLF units near airports.
- (ii) Operating standards: restricts disposal of liquids in new MSWLF units.
- (iii) Closure plan: specifies time restriction for initiating and completing closure, extends postclosure care period.
- (iv) Recordkeeping: requires maintenance of operating record on site.
- (v) Groundwater monitoring and corrective action: additional requirements relating to detection monitoring, assessment monitoring, and remedial action.
- (vi) Financial assurance: expands the scope of the provisions to include local governments and requires financial assurance for corrective action.

6) Will this proposed rule replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Do these proposed amendments contain incorporations by reference?

Yes. 35 Ill. Adm. Code 810.104 is the central location for the references incorporated for all of Part 810 through 815. This Section is amended to incorporate a reference testing method required by USEPA for use by MSWLF units in Part 811.

9) Are there any other amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives:

This rulemaking is mandated by pending Section 22.40 (H.B. 299) of the Environmental Protection Act. The statewide policy objectives are set forth in Section 20 of that Act. This rulemaking is adopted by the Board pursuant to the authority granted by the Environmental Protection and Recovery Act of 1976 (P.L. 94-580; codified as 42 U.S.C. §§ 6944 & 6950) and federally-mandated. This rulemaking imposes the federal mandates on units of local government only to the extent that they may own or operate a "municipal solid waste landfill facility" for the disposal of non-hazardous waste, as such is defined and governed by the pertinent federal regulations.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket #93-10 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: May 27, 1993.

B) Types of small businesses affected:

The existing rules and proposed amendments affect small businesses that own or operate a "municipal solid waste landfill facility" for the disposal of non-hazardous waste, as such is defined and governed by the pertinent federal regulations.

C) Reporting, bookkeeping or other procedures required for compliance:

The existing rules and proposed amendments require extensive recordkeeping and the preparation of reports, waste analyses and maintenance of operating records. This rulemaking may expand those requirements and impose them for the first time on facilities previously exempted from the existing regulations only to the extent that they may own or operate a "municipal solid waste landfill facility" for the disposal of non-hazardous waste, as such is defined and governed by the pertinent federal regulations.

D) Types of professional skills necessary for compliance:

Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist and registered professional engineer. This rulemaking may expand those requirements and impose them for the first time on facilities previously exempted from the existing regulations only to the extent that they may own or operate a "municipal solid waste landfill facility" for the disposal of non-hazardous waste, as such is defined and governed by the pertinent federal regulations.

The full text of the proposed amendments begins on the next page.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE C: WASTE DISPOSAL

CHAPTER 1: POLLUTION CONTROL BOARD

SUBCHAPTER 1: SOLID WASTE AND SPECIAL WASTE HAULING

PART 811

STANDARDS FOR NEW SOLID WASTE LANDFILLS

SUBPART A: GENERAL STANDARDS FOR ALL LANDFILLS

Scope and Applicability

Section
811.101 Determination of Contaminated Leachate
811.102 Design Period
811.103 Final Slope and Stabilization
811.205 Leachate Sampling
811.207 Load Checking

Section
811.104 Survey Controls
811.105 Compaction
811.106 Daily Cover
811.107 Operating Standards
811.108 Boundary Control
811.109 Boundary Maintenance
811.110 Closure and Written Closure Plan
811.111 Postclosure Maintenance
811.112 Recordkeeping Requirements for MSWLF Units

SUBPART B: INERT WASTE LANDFILLS

Scope and Applicability

Section
811.201 Determination of Contaminated Leachate
811.202 Design Period
811.203 Final Slope and Stabilization
811.205 Leachate Sampling
811.207 Load Checking

SUBPART C: PUTRESCIBLE AND CHEMICAL WASTE LANDFILLS

Scope and Applicability

Section
811.301 Facility Location
811.302 Design Period
811.303 Foundation and Mass Stability Analysis
811.304 Liner Construction
811.305 Liner Systems
811.306 Leachate Drainage System
811.307 Leachate Collection System
811.308 Leachate Treatment and Disposal System
811.309 Landfill Gas Monitoring System
811.310 Landfill Gas Processing and Disposal System
811.312 Intermediate Cover
811.313 Final Cover System
811.314 Hydrogeological Site Investigations
811.315 Groundwater Impact Assessment
811.316 Design, Construction, and Operation of Groundwater Monitoring Systems
811.318 Groundwater Monitoring Programs
811.319 Waste Pile Stability Standards
811.321 Waste Slope and Stabilization
811.322 Final Slope and Stabilization

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Load Checking Program

Correction Action Measures for MSWLF Units

Selection of Remedy for MSWLF Units

Implementation of the corrective action program at MSWLF Units

SUBPART D: MANAGEMENT OF SPECIAL WASTES AT LANDFILLS

Scope and Applicability

Section
811.401 Notice to Generators and Transporters
811.402 Special Waste Manifests
811.403 Identification Record
811.404 Recordkeeping Requirements
811.405 Procedures for Excluding Regulated Hazardous Wastes

SUBPART E: CONSTRUCTION QUALITY ASSURANCE PROGRAMS

Scope and Applicability

Section
811.501 Design and Construction of Key Personnel
811.502 Inspection Activities
811.503 Sampling Requirements
811.504 Documentation
811.505 Foundations and Subbases
811.506 Compacted Earth Liners
811.507 Geomembrane Liners
811.508 Leachate Collection Systems
811.509

SUBPART G: FINANCIAL ASSURANCE

Scope, Applicability and Definitions

Section
811.700 Upgrading Financial Assurance
811.701 Release of Financial Institution
811.702 Application of Proceeds and Appeals
811.703 Closure and Postclosure Care and Corrective Action Cost Estimates
811.704 Mechanism of Cost Estimate
811.705 Use of Multiple Financial Mechanisms
811.706 Use of a Financial Mechanism for Multiple Sites
811.707 Trust Fund for Unrelated Sites
811.708 Trust Fund Guaranteeing Payment
811.709 Surety Bond Guaranteeing Performance
811.710 Letter of Credit
811.711 Closure Insurance
811.712 Self-Insurance for Non-commercial Sites
811.715

Section
811.716 Financial Assurance Forms
811.717 Illustration A
811.718 Illustration B
811.719 Illustration C
811.720 Illustration D
811.721 Illustration E
811.722 Illustration F
811.723 Illustration G
811.724 Illustration H
811.725 Illustration I

Section-by-Section Correlation Between the Standards of the

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

RCRA Subtitle D MSWLF Regulations and the Board's Nonhazardous Waste Landfill Regulations.

AUTHORITY: Implementing Sections 5, 21, 21.1, 22, 22.17, 22.40 and 28.1, and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, para. 1005, 1021, 1021.1, 1022, 1022.17, 1022.40, 1028.1 and 1027 (415 ILCS 5/5, 5/21, 5/21.1, 5/22, 5/22.17, 5/22.40, 5/28.1 and 5/27)).

SOURCE: Adopted in 88-7 at 14 Ill. Reg. 15661, effective September 18, 1990; Amended in 83-10 at 17 Ill. Reg. _____, effective _____.

NOTE: Capitalization indicates statutory language.

SUBPART A: GENERAL STANDARDS FOR ALL LANDFILLS

Section 811.101 Scope and Applicability

- a) The standards of this Part apply to all new landfills, except those which are subject to the RCRA Subtitle C Landfills Regulations. Subpart A contains general standards applicable to all new landfills. Subpart B contains additional standards for new landfills which dispose of only inert wastes. Subpart C contains additional standards for new landfills which dispose of chemical and putrescible wastes.
- b) This Part shall not apply until one year after the effective date of this Part to new landfills solely receiving the following wastes generated by the following industries, provided that proposed regulations of general applicability to that industry are adopted by the Department of Environmental Protection. Wastes generated by foundries and primary steel production facilities and coal combustion wastes generated by electric utilities. The requirements of 35 Ill. Adm. Code 807 shall apply to such landfills during the interim period of one year after the effective date of this Part. This Part shall become effective one year after Dec. 1, 1990 if no proposal has been filed by that date.

- c) All general provisions of 35 Ill. Adm. Code 810 apply to this Part.

d) Standards for Municipal Solid Waste Landfills

- 1) The standards of this Part also apply to all new MSWLF units, as defined at 35 Ill. Adm. Code 810.103. The standards for the new MSWLF units include:
 - A) The standards applicable to new landfills pursuant to subsection (a), and
 - B) The standards adopted in this part that are identical-in substance to the federal regulations promulgated by the EPA pursuant to RCRA Section 201, RCRA Subtitle C, Sections 4004 and 4010 of the RCRA relating to MSWLF program. Such standards are individually indicated as applicable to MSWLF units.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 2) The Appendix Table B, Appendix B provides a Section-by-Section correlation between the requirements of the federal MSWLF regulations at 40 CFR 258 (1992) and the requirements of this Part.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 811.107 Operating Standards

a) Phasing of Operations

- 1) Waste shall be placed in a manner and at such a rate that mass stability is provided during all phases of operation. Mass stability shall mean that the mass of the waste that deposited will not undergo settling or slope failure that could result in the release of leachate from any of the various landfill operations or structures, such as the liner, leachate or drainage collection system, gas collection system or monitoring system.
- 2) The phasing of operations at the facility shall be designed in such a manner that the waste is placed in a safe and efficient manner, and the waste is placed in a safe and efficient manner, and the waste is placed in a safe and efficient manner.
- 3) The operator shall design and sequence the waste placement operation in each discrete unit or parts of units, in such a manner that the waste is placed in a safe and efficient manner, and the waste is placed in a safe and efficient manner, and the waste is placed in a safe and efficient manner.

b) Size and Slope of Working Face

- 1) The working face of the unit shall be no larger than is necessary, based on the terrain and equipment used in waste placement, to conduct operations in a safe and efficient manner.
- 2) The slopes of the working face area shall be no steeper than the slopes of the waste (as vertical) unless the waste is stable at steeper slopes.

c) Equipment

Equipment shall be maintained and available for use at the facility during all hours of operation, and the operator shall maintain compliance with the requirements of this Part.

d) Utilities

All utilities, including but not limited to heat, lights, power and communications equipment, necessary for safe operation in compliance with the requirements of this Part shall be available at the facility at all times.

e) Maintenance

The operator shall maintain and operate all systems and related appurtenances and structures in a manner that facilitates proper

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

operations in compliance with this Part.

f) Open Burning

Open burning is prohibited except in accordance with 35 Ill. Adm. Code 200 through 245.

g) Dust Control

The operator shall implement methods for controlling dust so as to prevent wind dispersal of particulate matter.

h) Noise Control

The facility shall be designed, constructed and maintained to minimize noise levels. The equipment, noise abatement measures, and other measures shall be designed, constructed and maintained to a violation of 35 Ill. Adm. Code 900 through 905 or of Section 24 of the Act.

i) Vector Control

The operator shall implement measures to control the population of disease and nuisance vectors.

j) Fire Protection

The operator shall institute fire protection measures including, but not limited to, maintaining a supply of water on-site and radio or telephone access to the nearest fire department.

k) Litter Control

1) The operator shall patrol the facility daily to check for litter accumulation. All litter shall be collected and placed in the fill or in a secure, covered container for later disposal.

2) The facility shall not accept solid waste from vehicles that do not utilize devices such as covers or tarpaulins to control litter, unless the nature of the solid waste load is such that it cannot cause any litter during its transportation to the facility.

l) Mud Tracking

The facility shall implement methods, such as use of wheel washing units, to prevent tracking of mud by hauling vehicles onto public roadways.

m) Liquids Restrictions for MSWLF units

1) Bulk or noncontainerized liquid waste may not be placed in MSWLF units unless:

- a) The waste is household waste other than septic waste; or

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

b) The waste is leachate or gas condensate derived from the MSWLF unit and the MSWLF unit, whether it is a new or existing MSWLF unit or lateral expansion, is designed with a composite liner and leachate collection system that complies with the requirements of Section 811.109 through 811.109.

2) Containers holding liquid waste may not be placed in a MSWLF unit unless:

a) The container is a small container similar in size to that normally found in household waste;

b) The container is designed to hold liquids for use other than storage; or

c) The waste is household waste.

3) For purposes of this Section:

a) "Liquid waste" means any waste material that is determined to contain free liquids, as defined by Method 9095 (Paint Filter Liquids Test), as described in "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods" (EPA Pub. No. SW-846) incorporated by reference in 35 Ill. Adm. Code 810.104.

b) "Gas condensate" means the liquid generated as a result of gas recovery processes at the MSWLF unit.

BOARD NOTE. Subsection 811.107(m) is derived from 40 CFR 258.28 (1992).

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 811.110 Closure and Written Closure Plan

a) The final slopes and contours shall be designed to complement and blend with the surrounding topography of the proposed final land use of the area.

b) All drainage ways and swales shall be designed to safely pass the runoff from the 100-year, 24-hour precipitation event without scouring or erosion.

c) The final configuration of the facility shall be designed in a manner that minimizes the need for further maintenance.

d) Written closure plan

- 1) The operator shall maintain a written plan describing all actions that the operator will undertake to close the unit or facility in a manner that fulfills the provisions of the Act, of this Part and of other applicable Parts of 35 Ill. Adm. Code. The operator shall ensure that the written closure plan shall fulfill the minimum information requirements of 35 Ill. Adm. Code 812.114.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 2) A modification of the written closure plan shall constitute a significant modification of the permit for the purposes of 35 Ill. Adm. Code 813. Subpart B.

g) The owner or operator of a MSWLF unit shall begin closure activities for each MSWLF unit no later than the date determined as follows:

- 1) 30 days after the date on which the MSWLF unit receives the final receipt of wastes; or
- 2) If the MSWLF unit has remaining capacity and there is a reasonable likelihood that the MSWLF unit will receive additional wastes, no later than one year after the most recent receipt of wastes.

3) The Agency shall grant extensions beyond this one-year deadline for continuing closure if the owner or operator demonstrates that:

A) the MSWLF unit has the capacity to receive additional wastes; and

B) the owner or operator has taken and will continue to take all steps necessary to prevent threats to human health and the environment from the unclosed MSWLF unit.

BOARD NOTE: Subsection (e) is Derived from 40 CFR 258.60(f) (1992).

f) The owner or operator of a MSWLF unit shall complete closure activities for each unit in accordance with the closure plan no later than the date determined as follows:

- 1) within 180 days of beginning closure, as specified in subsection (g) of this Section.

2) The Agency shall grant extension of the closure period if the owner or operator demonstrates that:

A) the closure will, of necessity, take longer than 180 days; and

B) the owner or operator has taken and will continue to take all necessary steps to prevent threats to human health and the environment from the unclosed MSWLF unit.

BOARD NOTE: Subsection (e) is Derived from 40 CFR 258.60(g) (1992).

g) Deed notation.

- 1) Following closure of all MSWLF units at a site, the owner or operator shall record a notation on the deed to the landfill facility property or some other instrument that is normally examined during title search. The owner or operator shall

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

place a copy of the instrument in the operating record, and shall retain a copy of the instrument as it has been recorded, and a copy has been placed in the operating record.

- 2) The notation on the deed or other instrument must be made in such a way that in perpetuity notify any potential purchaser of the property that:

A) The land has been used as a landfill facility; and

B) Its use is restricted pursuant to Section 811.111(d).

BOARD NOTE: Subsection (g) is Derived from 40 CFR 258.60(i) (1992).

- h) The Agency shall allow the owner or operator of a MSWLF unit to remove the notation from the deed only if the owner or operator demonstrates to the Agency that all wastes are removed from the facility.

BOARD NOTE: Subsection (h) is Derived from 40 CFR 258.60(i) (1992).

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 811.111 Postclosure Maintenance

a) The operator shall treat, remove from the site, or dispose of all wastes and waste residues within 30 days after receipt of the final volume of waste.

b) The operator shall remove all equipment or structures not necessary for the postclosure land use, unless otherwise authorized by permit.

c) Maintenance and Inspection of the Final Cover and Vegetation:

- 1) Frequency of Inspections

A) The operator shall conduct a quarterly inspection of vegetated surfaces for a minimum of five years after vegetation is established. The operator may reduce the frequency of annual inspections until settling has stopped and there are no eroded or scored areas.

B) For landfills, other than those used exclusively for disposing waste generated at the site, inspections shall be continued for a minimum period of 15 years after closure.

C) For MSWLF units, inspections shall be continued for a minimum period of 30 years after closure.

- 2) All rills, gullies and crevices six inches or deeper identified in the inspection shall be filled. Areas identified by the operator or the Agency inspection as particularly susceptible to erosion shall be recontoured.

NOTICE OF PROPOSED AMENDMENTS

- 3) All eroded and scoured drainage channels shall be repaired and lining material shall be replaced if necessary.
- 4) All holes and depressions created by settling shall be filled and recontoured so as to prevent standing water.
- 5) All covered surfaces, and areas with failed or eroded vegetation in excess of 100 square feet cumulatively, shall be revegetated in accordance with the approved closure plan for the facility.

d) Planned uses of property at MSWLF units

- 1) The owner or operator of a MSWLF unit shall include a description of the planned uses of the property during the postclosure care period in the written postclosure care plan prepared pursuant to 35 Ill. Adm. Code 812.115.
- 2) Postclosure use of the property must not disturb the integrity of the final cover, liner, any other components of the containment system, or the function of the monitoring systems, unless necessary to comply with the requirements of this Part.
- 3) The Agency shall approve any other disturbance if the owner or operator demonstrates that the disturbance of the final cover, liner or other component of the containment system, including any removal of waste, will not increase the potential threat to human health or the environment.

BOARD NOTE. Subsection (d) is derived from 40 CFR 258.61(c)(3) (1992).

(Source: Amended at 17 Ill. Reg. _____, effective _____)
Section 811.112 Recordkeeping Requirements for MSWLF Units

The owner or operator of a MSWLF unit shall record and retain near the facility in an operating record or in some alternative location specified by the Agency, the information submitted to the Agency pursuant to 35 Ill. Adm. Code 812.115. At a minimum, the operating record shall contain the following information:

- a) Any location restriction demonstration required under 35 Ill. Adm. Code 812.109 and 812.303;
- b) Inspection records, training procedures, and notification procedures required by Section 811.323;
- c) Gas monitoring results and any remediation plans required by Sections 811.310 and 811.311;
- d) Any MSWLF unit design documentation for placement of leachate or gas condensate in a MSWLF unit required by Section 811.107(m);
- e) Any demonstration, certification, monitoring results, testing, or sampling required by Sections 811.319, 811.324, 811.325, and 811.326.

NOTICE OF PROPOSED AMENDMENTS

- f) Closure and post-closure care plans and any monitoring, testing, or analytical data required by Sections 811.10 and 811.111 and any cost estimates and financial assurance documentation required by Subpart G of this Part.

BOARD NOTE. The requirements of this Section are derived from 40 CFR 258.29 (1992).

(Source: Added at 17 Ill. Reg. _____, effective _____)

SUBPART C: PUTRESCIBLE AND CHEMICAL WASTE LANDFILLS
Section 811.302 Facility Location

- a) No part of a unit shall be located within a setback zone established pursuant to Section 14.2 or 14.3 of the Act;
- b) No part of a unit shall be located within the recharge zone or within 366 meters (1200 feet), vertically or horizontally, of a sole-source aquifer designated by the United States Environmental Protection Agency pursuant to Section 1424(e) of the Safe Drinking Water Act (42 U.S.C. 300f et seq.) unless there is a stratum beneath the unit that meets the following minimum requirements:
 - 1) The stratum has a minimum thickness of 15.2 meters (50 feet);
 - 2) The maximum hydraulic conductivity in both the horizontal and vertical directions is no greater than 1x10⁻⁷ centimeters per second, as determined by in situ borehole or equivalent tests;
 - 3) There is no indication of continuous sand or silt seams, faults, fractures or cracks within the stratum that may provide paths for migration; and
 - 4) Age dating of extracted water samples from both the aquifer and the stratum indicates that the time of travel for water migrating downward through the relatively impermeable stratum is no faster than 15.2 meters (50 feet) in 100 years.
- c) A facility located within 152 meters (500 feet) of the right of way of a township or county road or state or interstate highway shall be surrounded by a fence or barrier, or plants no less than 2.44 meters (8 feet) in height.
- d) No part of a unit shall be located closer than 152 meters (500 feet) to a hospital, school, or other facility that was occupied on the date when the stratum first shall be permitted to develop on the unit or the facility containing the unit, unless the owner of such dwelling, school, or hospital provides permission to the operator, in writing, for a closer distance.
- e) The facility shall not be located closer than 152 meters (500

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

feet) of any runway used by piston type aircraft or within 3050 feet of any runway used by turbojet or turboprop aircraft, unless the Federal Aviation Administration provides the operator with written permission, including technical justification, for a closer distance.

- f) Owners or operators proposing to locate a new MSWLF unit within a 1000 foot radius of a runway used by piston type aircraft or within 3050 feet of any runway used by turbojet or turboprop aircraft shall notify the affected airport and the Federal Aviation Administration (FAA) within 7 days of filing a permit application with Agency in accordance with 35 Ill. Adm. Code 813 for developing a new landfill.

BOARD NOTE: Subsection (f) is derived from 40 CFR 258.10 (1992).

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

Section 811.303 Design Period

- a) The design period for putrescible and chemical waste disposal units shall be the estimated operating life plus a postclosure care period of 30 years. The design period for putrescible waste landfill units, other than MSWLF units, may be reduced if waste measures are undertaken in compliance with subsections (b) and (c) of this section. The design period for putrescible waste landfill units, other than MSWLF units, may be reduced in accordance with subsection (d).

- b) The design period for a disposal unit which accepts only putrescible waste shall be the estimated operating life plus 20 years of postclosure care.

- c) The design period for a putrescible waste disposal unit that recycles leachate in accordance with Section 811.309(f) shall be the estimated operating life plus 20 years of postclosure care.

- d) The Agency shall reduce the postclosure care period of a MSWLF unit if the owner or operator demonstrates to the Agency that the reduced period is sufficient to protect human health and the environment.

BOARD NOTE: Subsection (d) is derived from 40 CFR 258.61(b)(1).

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

Section 811.319 Groundwater Monitoring Programs

- a) Detection Monitoring Program

Any use of the term "maximum allowable predicted concentration" in this Section is a reference to 35 Ill. Adm. Code 811.318(c). The operator shall implement a detection monitoring program in accordance with the following requirements:

- 1) Monitoring Schedule and Frequency
- A) The monitoring period shall begin as soon as waste is placed into the unit of a new landfill or within one

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

year of the effective date of this Part for an existing landfill or for monitoring shall continue for a minimum period of five years after closure of the unit in the case of MSWLF units. A minimum period of 30 years after closure, except as otherwise provided by Section 811.303. The operator shall sample all monitoring points for all potential sources of contamination on a regular basis. The sampling shall be conducted at least (a)(3) or may institute more frequent sampling throughout the time the source constitutes a threat to groundwater. For the purposes of this section, the source shall be considered a threat to groundwater, if the results of the monitoring indicate that the threat to groundwater has been detected and that the threat within the zone of attenuation is above the maximum allowable predicted concentration for that constituent.

- B) Beginning fifteen years after closure of the unit, or five years after all other potential sources of discharge no longer constitute a threat to groundwater, as defined in subsection (a)(1)(A), the monitoring frequency may change on a well by well basis to an annual schedule if either of the following conditions are met: (i) The unit has not been scheduled quarterly schedule at any well where a statistically significant increase is determined to have occurred in accordance with Section 811.320(e), in the concentration of any constituent with respect to the previous sample.

- i) All constituents monitored within the zone of attenuation have returned to a concentration less than or equal to ten percent of the maximum allowable predicted concentration; or

- ii) All constituents monitored within the zone of attenuation are less than or equal to their maximum allowable predicted concentration for eight consecutive quarters.

- C) Monitoring shall be continued for a minimum period of thirty years after closure at MSWLF units, except as otherwise provided by Section 811.303; five years after closure of, in the case of all landfills, other than MSWLF units, those which are used exclusively for disposing waste generated at the alteri. Or a minimum period of five years after closure of all other landfills regulated under this Part. Monitoring beyond the minimum period, may be discontinued under the following conditions:

- i) No statistically significant increase in constituent concentration has been detected and the constituent above that measured and recorded during the immediately preceding scheduled sampling for three consecutive years, after changing to an annual monitoring frequency; or

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- ii) Immediately after contaminated leachate is no longer generated by the unit.

BOARD NOTE: Changes to Subsections (a)(1)(A) and (a)(1)(C) are derived from 40 CFR 258.50(a) (1992).

2) Criteria for Choosing Constituents to be Monitored

- A) The operator shall monitor each well for constituents that will provide a means for detecting groundwater contamination. Constituents shall be chosen for monitoring if they meet the following requirements:
- The constituent appears in, or is expected to be in, the leachate; and
 - The Board has established for the constituent a public or food processing water supply standard, at 35 Ill. Am. Code 302; the Board has established a groundwater protection standard under the Illinois Groundwater Protection Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 7451 et seq.), or the constituent may otherwise cause or contribute to groundwater contamination.
- B) One or more indicator constituents, representative of the transport processes of constituents in the leachate, may be chosen for monitoring in place of the constituents it represents. The use of such indicator constituents must be included in an Agency approved permit.

3) Organic Chemicals Monitoring

The operator shall monitor each existing well that is being used for monitoring groundwater contamination at the facility within one year of the effective date of this Part, and monitor each new well within three months of its establishment. The monitoring required by this subsection shall be for a broad range of organic chemical contaminants in accordance with the procedures described below:

- A) The analysis shall be at least as comprehensive and sensitive as the tests for:
- The 51 organic chemicals in drinking water described at 40 CFR 41.40 (1988), and incorporated by reference at 35 Ill. Am. Code 810.104; and
 - Any other organic chemical for which a groundwater quality standard or criterion has been adopted pursuant to Section 14.4 of the Act and which is on the Illinois Groundwater Protection Act.
- B) At least once every two years, the operator shall monitor each well in accordance with subsection

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- (a)(1)(A).

C) The operator of a MSWLF unit shall monitor each well in accordance with subsection (a)(1)(A) on an annual basis.

BOARD NOTE: Subsection (a)(3)(C) is derived from 40 CFR 258.54(b) (1992).

4) Confirmation of Monitored Increase

- A) The confirmation procedures of this subsection shall be used only if the concentrations of the constituents monitored can be measured at or above the practical quantitation limit (PQL). The PQL is defined as the minimum concentration that can be reliably measured within specified limits of precision. The operator shall institute the confirmation procedures of subsection (a)(4)(B) after notifying the Agency in writing, within 10 days, of the following observed increases:
- The concentration of any constituent monitored in accordance with subsection (a)(1) and (a)(2) shows a progressive increase over four consecutive quarters;
 - The concentration of any constituent exceeds the maximum allowable predicted concentration at an established monitoring point within the zone of attenuation;
 - The concentration of any constituent monitored in accordance with subsection (a)(3) exceeds the preceding measured concentration at any established monitoring point; and
 - The concentration of any constituent monitored at or beyond the zone of attenuation exceeds the applicable groundwater quality standards of Section 811.320.
- B) The confirmation procedures shall include the following:
- The operator shall verify any observed increase by taking additional samples within 45 days of the initial observation and ensure that the sampling procedure used does not result in an artificially significant increase in the concentration of the suspect constituent in accordance with subsection 811.320(e), so as to confirm the observed increase. The operator shall notify the Agency of any confirmed increase and conduct the next business day following the confirmation.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- ii) The operator shall determine the source of any confirmed increase, which may include, but shall not be limited to, natural phenomena, sampling or analysis errors, or an off-site source.
- iii) The operator shall notify the agency in writing of any confirmed increase and state the source of the confirmed increase and provide the rationale used in such a determination within ten days of the determination.

b) Assessment Monitoring

The operator shall begin an assessment monitoring program in order to confirm that the solid waste disposal facility is the source of the contamination and to provide information needed to carry out a corrective action program. The assessment monitoring program shall be conducted in accordance with the following requirements:

- 1) The assessment monitoring shall be conducted in accordance with this subsection to collect information to assess the contamination and to provide information needed to carry out a corrective action program. The assessment monitoring program shall comply with the additional requirements prescribed in subsection (b)(5). The assessment monitoring which shall consist of, but not be limited to, the following steps:
 - A) More frequent sampling of the wells in which the observation occurred;
 - B) More frequent sampling of any surrounding wells;
 - C) The placement of additional monitoring wells to determine the source and extent of the contamination;
 - D) Monitoring of additional constituents that might indicate the source and extent of contamination; and
 - E) Any other investigative techniques that will assist in determining the nature and extent of the contamination.
- 2) The operator of the facility for which assessment monitoring is required shall submit a plan for assessment monitoring to the Agency. If the plan is approved by the Agency, then the plan shall be filed for review as a significant permit modification pursuant to 35 Ill. Adm. Code 813-Subpart B. The assessment monitoring program shall be implemented within 90 days of confirmation of the plan. The assessment monitoring shall be conducted on (a)(4) or in the case of permitted facilities, within 90 days of Agency approval.
- 3) If the analysis of the assessment monitoring data shows that the concentration of one or more constituents, monitored at the facility, is in excess of the applicable groundwater quality standards of Section 811.320 and is

NOTICE OF PROPOSED AMENDMENTS

attributable to the solid waste disposal facility, then the operator shall determine the nature and extent of the groundwater contamination including an assessment of the potential impact on the groundwater should waste continue to be accepted at the facility and shall implement remedial action in accordance with subsection (4).

- 4) If the analysis of the assessment monitoring data shows that the concentration of one or more constituents is attributable to the solid waste disposal facility and within the maximum allowable predicted concentration, the owner or operator shall conduct a groundwater impact assessment in accordance with the requirements of subsection (c).

- 5) In addition to the requirements of subsection (b)(1), to collect information to assess the contamination and to provide information needed to carry out a corrective action program, the following requirements are applicable to MSWLF units:

- A) The monitoring of additional constituents pursuant to (b)(1)(D) shall include, but not be limited to, ammonia, IL, and other constituents listed in the table in Subpart II, 810.104.

BOARD NOTE. Subsection (b)(5)(A) is derived from 40 CFR 238.55(b) (1992).

- B) Within 14 days of obtaining the results of sampling required under subsection (b)(1)(D), the owner or operator shall:

- i) place a notice in the operating record identifying the constituents that have been detected; and
- ii) notify the Agency that such a notice has been placed in the operating record.

BOARD NOTE. Subsection (b)(5)(B) is derived from 40 CFR 238.55(d)(1) (1992).

- C) The owner or operator shall establish background concentrations for any constituents detected under subsection (b)(1)(D) in accordance with Section 811.320(f).

BOARD NOTE. Subsection (b)(5)(C) is derived from 40 CFR 238.55(d)(3) (1992).

- D) Within 14 days of finding an exceedance above the applicable groundwater quality standards in accordance with subsection (b)(3), the owner or operator shall:

- i) place a notice in the operating record that identifies the constituents that have exceeded the groundwater quality standards in accordance with subsection (b)(1)(D) that have exceeded the

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Groundwater quality standard:

(i) notify the Agency and the appropriate officials of the local municipality or county within whose jurisdiction the facility is located, that notice has been placed in the operating record, and

(ii) notify all persons who own land or reside on land adjacent to the facility, that the plume containing the contaminants have migrated off-site.

BOARD NOTE. Subsection (b)(5)(D) is derived from 40 CFR 258.55(g)(1)(ii) through (iii) (1992).

c) Assessment of Potential Groundwater Impact

An operator required to conduct a groundwater impact assessment in accordance with subsection (b)(5) shall assess the potential impacts outside the Section 811.320 zone of attenuation that may result from confirmed increases above the maximum allowable predicted concentration within the zone of attenuation, attributable to the facility, in order to determine if there is need for remedial action. In addition to the requirements of Section 811.317, the following shall apply:

- 1) The operator shall utilize any new information developed since the initial assessment and information from the detection and assessment monitoring programs and such information may be used for the recalibration of the GCR model; and
- 2) The operator shall submit the groundwater impact assessment and any proposed remedial action plans determined necessary pursuant to subsection (d) to the Agency within 180 days of the start of the assessment monitoring program.

d) Remedial Action. The owner or operator of a MSWLF unit shall conduct corrective action in accordance with Sections 811.324, 811.325, and 811.326. The owner or operator of a landfill facility, other than a MSWLF unit, shall conduct remedial action in accordance with this subsection.

- 1) The operator shall submit plans for the remedial action to the Agency. Such plans and all supporting information including data collected during the assessment monitoring program shall be submitted within 90 days of determination of either of the following:

- A) The groundwater impact assessment performed in accordance with subsection (c), indicates that remedial action is needed; or
- B) Any confirmed increase above the applicable groundwater quality standards of Section 811.320 is determined to be attributable to the solid waste

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 2) If the facility has been issued a permit by the Agency, then the operator shall submit this information as an application for significant modification to the permit;
- 3) The operator shall implement the plan for remedial action within 90 days of the following:

- A) Completion of the groundwater impact assessment under subsection (c) that requires remedial action;
- B) Establishing that a violation of an applicable groundwater quality standard of Section 811.320 is attributable to the solid waste disposal facility in accordance with subsection (b)(3); or
- C) Agency approval of the remedial action plan, where the facility has been permitted by the Agency.
- 4) The remedial action program shall consist of one or a combination of one or more of the following solutions:
 - A) Retrofit additional groundwater protective measures within the unit;
 - B) Construct an additional hydraulic barrier, such as a cutoff wall or slurry wall system;
 - C) Pump and treat the contaminated groundwater; or
 - D) Any other equivalent technique which will prevent further contamination of groundwater.

5) Termination of the Remedial Action Program

A) The remedial action program shall continue in accordance with the plan until monitoring shows that maximums in the plume monitored constituents are below the maximums allowable for the concentration within the zone of attenuation, and below the applicable groundwater quality standards of Section 811.320 at or beyond the zone of attenuation, over a period of 4 consecutive quarters.

- B) The operator shall submit to the Agency all information collected under subsection (d)(5)(A). If the facility is permitted then the operator shall submit this information as significant modification of the permit.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 811.323 Load Checking Program

- a) The operator shall implement a load checking program that meets the requirements of this Section, for detecting and making attempts to dispose regulated hazardous wastes at the facility.

NOTICE OF PROPOSED AMENDMENTS

For purposes of this Section and Section 811.406, "regulated hazardous wastes" are wastes defined as such under RCRA, at 35 Ill. Adm. Code 721, and subject to regulations under 35 Ill. Adm. Code: Subtitle G.

- b) In addition to checking for hazardous waste in accordance with subsection (a), the load checking program at a MSWLF unit shall include waste load inspection for detecting and discouraging attempts to dispose "polychlorinated biphenyl wastes" as defined in 40 CFR 761.3 (1992).

BOARD NOTE. Subsection (b) is derived from 40 CFR 258.20(a) (1992).

- b) The load checking program shall consist of, at a minimum, the following components:

1) Random inspections

- A) An inspector designated by the facility shall examine at least three random loads of solid waste delivered to the facility on a random basis each week. The inspector shall be given authority to select any load that shall be directed to discharge within the facility. The facility shall conduct a detailed inspection of the discharged material for any regulated hazardous, or other materials, and shall record the results of the inspection. Other devices may be used to record the visible contents of solid waste shipments. Where such devices are employed, their use should be designated on a sign posted near the entrance to the facility.

- B) If regulated hazardous wastes or other unacceptable wastes are suspected, the facility shall communicate with the generator, hauler or other party responsible for shipping the waste to the facility to determine the identity of the waste.

2) Recording inspection results

Information and observations derived from each random inspection shall be recorded in writing and retained at the facility for at least three years. The recorded information shall include a minimum of the following information: the date of inspection; the name of the inspector; the name of the driver of the vehicle; the vehicle license plate number; the source of the waste, as stated by the driver; and observations made by the inspector during the detailed inspection. The written record shall be signed by both the inspector and the driver.

3) Training

The solid waste management facility shall train designated inspectors, equipment operators, weigh station attendants, spotters at large facilities, and all other appropriate personnel in the proper handling and disposal of regulated hazardous wastes and other unacceptable

NOTICE OF PROPOSED AMENDMENTS

wastes. The training program shall emphasize familiarity with containers typically used for regulated hazardous wastes and with labels for regulated hazardous wastes, under RCRA, and for hazardous materials under the Hazardous Materials Transportation Act (49 U.S.C. 1801 et seq.).

c) Handling Regulated Hazardous Wastes

- 1) If any regulated hazardous wastes are identified by random load checking, or are otherwise discovered to be improperly deposited at the facility, the facility shall promptly take the necessary steps to prevent further loading or shipping the wastes to the landfill, and the generator or shipper shall be notified. Waste loads identical to the regulated hazardous waste identified through the random load checking which have not yet been deposited in the landfill shall not be loaded. The area where the wastes are deposited shall immediately be fenced off. The facility shall ensure the solid waste management facility shall assure the cleanup, transportation and disposal of the waste at a permitted hazardous waste management facility.

- 2) The party responsible for transporting the waste to the solid waste management facility shall be responsible for the costs of such proper cleanup, transportation and disposal.

- 3) Subsequent shipments by persons or sources found or suspected to be previously responsible for shipping regulated hazardous wastes shall be subject to the following special precautionary measures prior to the wastes being accepted at the facility. The operator shall use precautionary measures such as questioning the driver concerning the waste contents prior to discharge and visual inspection during the discharge of the load at the working face or elsewhere.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 811.324 Corrective Action Measures for MSWLF Units

- a) The owner or operator shall initiate an assessment of corrective action measures within 30 days of the following:

- 1) The "groundwater impact assessment," performed in accordance with subsection 811.319 (c), indicates that remedial action is needed; or
2) The assessment monitoring, performed in accordance with subsection 811.319 (b), indicates that a confirmed increase above the applicable groundwater quality standards of section 811.320 is attributable to the solid waste disposal facility.

- b) The owner or operator shall complete the corrective action assessment within a reasonable time period. The Agency shall specify that time period in the facility's permit.

- c) The owner or operator shall continue to monitor in accordance with

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

the assessment monitoring program, as specified in Section 811.319(b).

- d) The assessment shall include an analysis of the effectiveness of the remedial action in meeting the requirements and objectives of the remedy, as described under Section 811.325, addressing at least the following:
- 1) The performance, reliability, ease of implementation, and potential impact of the remedial action on the media and exposure to any residual contamination;
 - 2) The time required to begin and complete the remedy;
 - 3) The costs of remedy implementation; and
 - 4) The institutional requirements, such as State or local permit requirements or other environmental or public health requirements, that may substantially affect implementation of the remedies.

e) The owner or operator must discuss the results of the corrective action measures assessment prior to the selection of a remedy in a public meeting with interested and affected parties.

BOARD NOTE: Requirements of this Section are derived from 40 CFR 238.56 (1997).

(Source: Added at 17 Ill. Reg. _____, effective _____)

Section 811.323 Selection of remedy for MSWLF Units

- a) Based on the results of the corrective action measures assessment conducted under Section 811.324, the owner or operator of a MSWLF unit shall select a remedy that, at a minimum, meets the requirements of subsection (b). The owner or operator shall submit a report describing the selected remedy and how it meets the standards set forth in subsection (b) of this section. Such a report shall also be placed in the operating record.

b) Remedies selected under this Section must meet the following requirements:

- 1) They must be protective of human health and the environment;
- 2) They must attain the groundwater quality standards prescribed at Section 811.340;
- 3) They must control the sources of release so as to reduce or eliminate, to the maximum extent practicable, further releases of constituents detected under the assessment monitoring into the environment that may pose a threat to human health or the environment; and
- 4) They must comply with standards for management of wastes as specified in Section 811.326(d).

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

c) In selecting a remedy that meets the requirements of subsection (b), the owner or operator shall consider the following evaluation factors:

- 1) The long- and short-term effectiveness and protectiveness of the remedial remedies, along with the degree of certainty that the remedy will prove successful based on consideration of the following factors:
 - A) The magnitude of reduction of existing risks;
 - B) The magnitude of residual risks in terms of likelihood of further releases due to waste remaining following implementation of a remedy;
 - C) The type and degree of long-term management required, including monitoring, operation, and maintenance;
 - D) Any short-term risks that might be posed to the community, workers, or the environment during implementation of the remedy, including potential threats to human health and the environment associated with excavation, transportation, and disposal or containment;
 - E) The length of time until full protection is achieved;
 - F) Any potential for exposure of humans and environmental receptors to remaining wastes, considering the potential threat to human health and the environment associated with excavation, transportation, disposal, or containment;
 - G) The long-term reliability of engineering and institutional controls; and
 - H) The potential need for replacement of the remedy.
- 2) The effectiveness of the remedy in controlling the source to reduce further releases based on consideration of the following factors:
 - A) The extent to which containment practices will reduce further releases; and
 - B) The extent to which treatment technologies may be used.
- 3) The ease or difficulty of implementing potential remedies based on consideration of the following types of factors:
 - A) The degree of difficulty associated with constructing the technology;
 - B) The expected operational reliability of the technologies;
 - C) The need to coordinate with and obtain necessary

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

approvals and permits from other agencies;

D) The availability of necessary equipment and specialists; and

E) The available capacity and location of needed treatment, storage, and disposal services.

4) The practicable capability of the owner or operator to implement the remedies, including a consideration of the technical and economic capability.

5) The degree to which community concerns are addressed by potential remedies.

g) Schedule for implementing remedial action.

1) The owner or operator shall specify as part of the selected remedy a schedule for initiating and completing remedial activities. Such a schedule must require the initiation of remedial activities within a reasonable period of time, taking into consideration the factors set forth in subsections (d)(3)(A) through (d)(3)(D).

2) The Agency shall specify the time period for initiating remedial action in the facility's permit.

3) The owner or operator shall consider the following factors in determining the schedule of remedial activities:

A) The extent and nature of contamination;

B) The practical capabilities of remedial technologies in achieving compliance with the groundwater quality standards set forth in Section 811.320 and other objectives of the remedy;

C) The availability of treatment or disposal capacity for wastes managed during implementation of the remedy;

D) The desirability of utilizing technologies that are not currently available, but which may offer significant advantages over already available technologies in terms of effectiveness, reliability, safety, or ability to achieve remedial objectives;

E) Any potential risks to human health and the environment from exposure to contamination prior to completion of the remedy;

F) Any resource value of the aquifer including:

i) Any current and future uses;

ii) The proximity and withdrawal rate of users;

iii) The ground-water quantity and quality;

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

iv) The potential damage to wildlife, crops, vegetation, and physical structures caused by exposure to waste constituent;

v) The hydrogeologic characteristic of the facility and surrounding land;

vi) The ground-water removal and treatment cost;

vii) The cost and availability of alternative water supplies;

g) The practicable capability of the owner or operator to implement the remedies; and

h) Any other relevant factors.

The Agency shall determine that remediation of a release of one or more constituents monitored in accordance with Section 811.319 from a MSWMP unit is not necessary if the owner or operator demonstrates to the Agency that:

1) The groundwater is additionally contaminated by substances that are not hazardous to human health, and that such substances and those substances are present in such concentrations that cleanup of the release from the MSWMP unit would provide no significant reduction in risk to actual or potential receptors; or

2) The constituents are present in groundwater that:

A) Is not currently or reasonably expected to be a source of drinking water; and

B) Is not hydraulically connected with waters to which the hazardous constituents could migrate in concentrations that would exceed the groundwater quality standards established under Section 811.320; or

3) The remediation of the release is technically infeasible; or

4) The remediation results in unacceptable cross-media impacts.

A determination by the Agency pursuant to subsection (e) shall not affect the State's authority to take the remedial action or to undertake source control measures or other measures that may be necessary to eliminate or minimize further releases to the groundwater, to prevent exposure to the groundwater, or to remediate the groundwater to concentrations that are technically practicable and which reduce threats to human health or the environment.

BOARD NOTE: The requirements of this Section are derived from 40 CFR 258.57 (1992).

(Source: Added at 17 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Section 811.326

Implementation of the corrective action program at MSWLF Units

a) Based on the schedule established under section 811.325(d) for initiation and completion of corrective action, the owner or operator shall:

1) Establish and implement a corrective action groundwater monitoring program that:

- a) At a minimum, meets the requirements of an assessment monitoring program under Section 811.319(b);
 - b) Indicates the effectiveness of the remedy; and
 - c) Demonstrates compliance with ground-water protection standard pursuant to subsection (e) of this section.
- 2) Implement the remedy selected pursuant to Section 811.325.
- 3) Take any interim measures necessary to ensure the protection of human health and the environment. The interim measures shall be designed to protect human health and the environment with the objectives of and contribute to the performance of any remedy that may be required pursuant to Section 811.325. The owner or operator shall consider the following factors in determining whether interim measures are necessary:
- a) The time required to develop and implement a final remedy;

b) Any actual or potential exposure of nearby populations or environmental receptors to hazardous constituents;

c) Any actual or potential contamination of drinking water supplies or sensitive ecosystems;

d) Any further degradation of the groundwater that may occur if remedial action is not initiated expeditiously;

e) The weather conditions that may cause hazardous constituents to migrate or be released;

f) Any risks of fire or explosion, or potential for exposure to hazardous constituents as a result of an accident or failure of a container or handling system; and

g) Any other situations that may pose threats to human health and the environment.

b) If an owner or operator determines, based on information developed after implementation of the remedy has begun or other information, that compliance with requirements of Section 811.325(b) are not being achieved through the remedy selected, the owner or operator shall:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

1) Implement other methods or techniques that could practicably achieve compliance with the requirements, unless the owner or operator makes the determination under subsection (c) of this section.

2) Submit to the Agency, prior to implementing any alternative method pursuant to subsection (b)(1), a report describing the alternative methods or techniques and how they meet the standards of Section 811.325(b).

c) If the owner or operator determines that compliance with the requirements of subsection (b) cannot be achieved or achieved with any currently available methods, the owner or operator shall:

1) Obtain the certification of a qualified groundwater scientist or a determination by the Agency that compliance with requirements under Section 811.325(b) cannot be practically achieved with any currently available methods.

2) Implement alternative measures to control exposure of humans or the environment to residual contamination, as necessary to protect human health and the environment.

3) Implement alternative measures for control of the sources of contamination, or for removal or decontamination of equipment, units, devices, or structures that are:

A) Technically practicable; and

B) Consistent with the overall objective of the remedy.

4) Notify the Agency within 14 days that a report justifying the alternative measures prior to implementing the alternative measures has been placed in the operating record.

d) All solid wastes that are managed pursuant to a remedy required under Section 811.325, or pursuant to an interim measure required under subsection (a)(3), shall be managed by the owner or operator in a manner:

1) That is protective of human health and the environment; and

2) That complies with applicable requirements of Part 811.

e) Remedies selected pursuant to Section 811.325 shall be considered complete when:

1) The owner or operator complies with the groundwater quality standards established under Section 811.320 at all points of discharge to the environment that are beyond the zone of attenuation established pursuant to Section 811.320;

2) Compliance with the groundwater quality standards established under Section 811.320 has been achieved by demonstrating that concentrations of the constituents in the groundwater are not expected to exceed the groundwater quality standards under Section 811.319(b) have not exceeded the groundwater quality

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

standards for a period of three consecutive years using the statistical procedures and performance standards in Section 811.320(e). The Agency may specify an alternative time period during which the owner or operator must demonstrate compliance with the standards. The Agency shall specify such an alternative time period by considering the following factors:

- A) The extent and concentration of the release(s);
 - B) The behavior characteristics of the hazardous constituents in the ground-water;
 - C) The accuracy of monitoring or modeling techniques, including any seasonal, meteorological, or other environmental variabilities that may affect the results; and
 - D) The characteristics of the ground-water, and
- 3) All actions required to complete the remedy have been satisfied.

- f) Within 14 days of the completion of the remedy, the owner or operator shall notify the Agency that a certification that the remedy has been completed in compliance with the requirements of subsection (e) has been placed in the operating record. The Agency shall review the certification and may request that a qualified groundwater scientist or determined by the Agency to be completed.

- g) Upon the completion of certification that the corrective action has been completed, the Agency shall release the owner or operator from the financial assurance requirements for corrective action pursuant Subpart g of this Part.

BOARD NOTE: Requirements of this Section are derived from 40 CFR 238.58 (1992).

(Source: Added at 17 Ill. Reg. _____, effective _____)

SUBPART G: FINANCIAL ASSURANCE

Section 811.700 Scope, Applicability and Definitions

- a) This Subpart provides procedures by which the owner or operator of a permitted waste disposal facility provides financial assurance satisfying the requirements of Section 21.1(a) of the Act.
- b) Financial assurance may be provided, as specified in Section 811.706, by a trust agreement, a bond guaranteeing payment, a bond guaranteeing payment or performance, a letter of credit, insurance or self-insurance. The owner or operator shall provide financial assurance to the Agency before the receipt of the waste.
- c) Except as provided in subsection (f), this Subpart does not apply to the State of Illinois, its agencies and institutions, or to any

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

unit of local government; provided, however, that any other persons who conduct such a waste disposal operation on a site that is owned or operated by such a governmental entity shall provide financial assurance for closure and postclosure care of the site.

- d) The owner or operator is not required to provide financial assurance pursuant to this Subpart if the owner or operator demonstrates:

- 1) That closure and postclosure care plans filed pursuant to 35 Ill. Adm. Code 724 or 725 will result in closure and postclosure care that is consistent with the requirements of this Part; and
- 2) That the owner or operator has provided financial assurance adequate to provide for such closure and postclosure care pursuant to 35 Ill. Adm. Code 724 or 725.

- e) Definition: "Assumed closure date" means the date during the next permit term on which the costs of premature final closure of the facility, in accordance with the standards of this Part, will be greatest.

- f) ON OR AFTER APRIL 9, 1994, NO PERSON OTHER THAN THE STATE OF ILLINOIS, ITS AGENCIES AND INSTITUTIONS, SHALL CONDUCT ANY DISPOSAL OPERATION AT A MSWLF UNIT THAT REQUIRES A PERMIT UNDER SUBSECTION (d) OF SECTION 21.1 OF THE ACT, UNLESS THAT PERSON HAS COMPLIED WITH THE AGENCY A PERFORMANCE BOND OR OTHER SECURITY FOR THE PURPOSES OF 1.

- 1) INSURING CLOSURE OF THE SITE AND POST-CLOSURE CARE IN ACCORDANCE WITH THE ACT AND ITS RULES; AND

- 2) INSURING COMPLETION OF A CORRECTIVE ACTION REMEDY WHEN REQUIRED BY SECTION 21.1 OF THE ACT, OR SECTION 22.4 OF THE ACT OR WHEN REQUIRED BY SECTION 22.41 OF THE ACT. (Section 21.1(a.5) of the Act)

BOARD NOTE: Subsection (f) clarifies the applicability of the financial assurance requirements to local governments since the State of Illinois is not required to provide financial assurance from financial assurance requirements (40 CFR 258.70 (1992)).

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 811.701 Upgrading Financial Assurance

- a) The owner or operator shall maintain financial assurance equal to or greater than the current cost estimate calculated pursuant to Section 811.704 at all times, except as otherwise provided by subsection (b).
- b) The owner or operator shall increase the total amount of financial assurance so as to equal the current cost estimate within 90 days after any of the following occurrences:
 - 1) An increase in the current cost estimate;

NOTICE OF PROPOSED AMENDMENTS

- 2) A decrease in the value of a trust fund;
- 3) A determination by the Agency that an owner or operator no longer meets the gross revenue test of Section 811.715(d) or the financial test of Section 811.715(e); or,
- 4) Notification by the owner or operator that the owner or operator intends to substitute alternative financial assurance, as specified in Section 811.706, for self-insurance.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 811.702 Release of Financial Institution

The Agency shall release a trustee, surety, insurer or other financial institution when:

- a) An owner or operator substitutes alternative financial assurance such that the total financial assurance for the site is equal to or greater than the current cost estimate, without counting the amounts to be released; or
- b) The Agency releases the owner or operator from the requirements of this Subpart pursuant to 35 Ill. Adm. Code 813.403(b).

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 811.703 Application of Proceeds and Appeals

- a) The Agency may sue in any court of competent jurisdiction to enforce its rights under financial instruments. The filing of an enforcement action before the Board is not a condition precedent to such an Agency action, except when this Subpart or the terms of the instrument provide otherwise.
- b) As provided in Titles VIII and IX of the Act and 35 Ill. Adm. Code 103 and 104, the Board may order modifications in permits to change the type or amount of financial assurance pursuant to an enforcement action or a variance petition. Also, the Board may order that an owner or operator must close the record and prepare a care plan or order that proceeds from financial assurance be applied to the execution of a closure or postclosure care plan.
- c) The following Agency actions may be appealed to the Board as a condition precedent to 35 Ill. Adm. Code 105 and Section 21.3(e) of the Act:
 - 1) A refusal to accept financial assurance tendered by the owner or operator;
 - 2) A refusal to release the owner or operator from the requirement to maintain financial assurance;
 - 3) A refusal to release excess funds from a trust;
 - 4) A refusal to approve a reduction in the penal sum of a bond;

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 5) A refusal to approve a reduction in the amount of a letter of credit;
- 6) A refusal to approve a reduction in the face amount of an insurance policy; or
- 7) A determination that an owner or operator no longer meets the gross revenue test or financial test.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 811.704 Closure and Postclosure Care and Corrective Action Cost Estimates

Written cost estimate. The owner or operator shall have a written estimate of the cost of closure of all parts of the facility where activities are conducted. The cost estimate shall be based on this Part; the written closure plan required by Section 811.110 and 35 Ill. Adm. Code 812.114; and the cost of postclosure care and plans required by this Part and the written postclosure care plans required by 35 Ill. Adm. Code 812.115. The cost estimate is the total cost for closure and postclosure care.

The owner or operator shall revise the cost estimate whenever a change in the closure plan or postclosure care plan increases the cost estimate.

The cost estimate must be based on the steps necessary for the premature final closure of the facility on the assumed closure date.

The cost estimate must be based on the assumption that the Agency will contract with a third party to implement the closure plan.

The cost estimate may not be reduced by allowance for the salvage value of equipment or waste, for the resale value of land, or for the sale of landfill gas.

The cost estimate must, at a minimum, include all costs for all activities that will be required to close the facility in accordance with all requirements of this Part.

The postclosure monitoring and maintenance cost estimate must be prepared:

- 1) On the basis of the design period for each unit at a facility, assuming operations will cease on the assumed closure date; and
- 2) Reduced to present value, as follows:
 - A) Based on a 4 percent discount rate;
 - B) Without allowing for inflation;
 - C) Over a period including the time remaining until the assumed closure date, plus the postclosure care period;

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

h) The postclosure care cost estimate must, at a minimum, be based on the following elements in the postclosure care plan:

- 1) Groundwater monitoring, based on the number of monitoring points and parameters and the frequency of sampling specified in the permit.
- 2) The annual cost of Cover Placement and Stabilization, erosion control and the cost of moving.
- 3) Alternative Landfill Gas Disposal. If landfill gas is produced off-site, the owner or operator shall include in the cost estimate the costs necessary to operate an on-site gas disposal system, should access to the off-site facility become unavailable. The cost estimate must include the following information: (a) the cost of maintenance and monitoring of an on-site gas disposal system.
- 4) Cost Estimates Beyond the Design Period. When a facility must extend the postclosure care period beyond the applicable design period, the cost estimate must be based on the estimated annual time and the care activities occurring during that time.

i) This Section does not authorize the Agency to require the owner or operator to perform any of the indicated activities upon which cost estimates are to be based. However, the site permit conditions for each activity shall include the cost of that activity in the cost estimate.

j) Once the owner or operator has completed an activity, the owner or operator may file an application for significant permit amendment and Cost Estimate Change. The owner or operator shall indicate that the activity has been completed, and zeroing that element of the cost estimate.

k) Cost estimate for corrective action at MSWLF units.

1) In owner or operator of a MSWLF unit required to undertake a corrective action program pursuant to Section 811.326 shall have a detailed written estimate. In current dollars, of the cost of hiring a third party to perform the corrective action in accordance with the Section 811.326. The corrective action cost estimate must account for the total cost of the corrective action program for the entire corrective action period. The owner or operator shall notify the Agency that the estimate has been placed in the operating record.

2) The owner or operator must annually adjust the estimate for inflation on an annual basis during the following time period: in accordance with Section 811.326(f).

3) The owner or operator must increase the corrective action cost estimate and the amount of financial assurance provided under paragraph (b) of this section if changes in the

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

corrective action program or MSWLF unit conditions increase the maximum cost of corrective action.

4) The owner or operator may reduce the amount of the corrective action cost estimate and the amount of financial assurance provided for the corrective action program if the cost estimate exceeds the maximum remaining costs of corrective action. The owner or operator shall notify the Agency that the justification for the reduction of the corrective action cost estimate and the amount of financial assurance has been placed in the operating record.

5) The owner or operator of each MSWLF unit required to undertake a corrective action program under Section 811.326 shall establish, in accordance with Section 811.706, financial assurance for the most recent corrective action program.

6) The owner or operator shall provide continuous coverage for corrective action until released from the financial assurance requirements for corrective action by demonstrating compliance with Section 811.326 (f) and (g). BOARD NOTE. Subsection (k) is derived from 40 CFR 258.73 (1992).

(Source: Amended at 17 Ill. Reg. _____, effective _____)
Section 811.705 Revision of Cost Estimate

a) The owner or operator shall revise the current cost estimates for closure and postclosure care in each new application for permit renewal or where a facility modification results in an increase of the cost estimate.

b) The owner or operator shall review the closure and postclosure care plans prior to filing a revised cost estimate in order to determine whether they are consistent with current operations, and the requirements of this Subchapter. The owner or operator shall either certify that the plans are consistent, or shall file a new application for permit renewal or where a facility modification results in an increase of the cost estimate.

c) The owner or operator shall prepare new closure and postclosure cost estimates reflecting current prices for the items included in the estimate when such items are subject to significant price fluctuations. The owner or operator shall file revised estimates even if the owner or operator determines that there are no changes in the prices.

d) The owner or operator of a MSWLF unit shall adjust the cost estimate for inflation on an annual basis during the following time period:

1) The active life of the unit for closure.

2) The active life and postclosure care period, for postclosure care.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 2) until the corrective action program is completed in accordance with Section 811.326, for corrective action.

BOARD NOTE: Subsection (d) is derived from 40 CFR 238.714(a), (1992).

Source: Amended at 17 Ill. Reg. _____, effective _____.

Section 811.706 Mechanisms for Financial Assurance

- a) The owner or operator of a waste disposal site may utilize any of the following mechanisms listed in subsections (a) through (f) to provide financial assurance for closure and postclosure care, and for corrective action at a MSWRF unit. An owner or operator of a MSWRF unit shall also meet the requirements of Subsections (b), (c), and (d). The mechanisms are as follows:
- a1) A trust fund (Section 811.710);
 - b2) A surety Bond Guaranteeing Payment (Section 811.711);
 - c2) A surety Bond Guaranteeing Performance (Section 811.712);
 - d4) A letter of Credit (Section 811.713);
 - e2) Closure Insurance (Section 811.714); or
 - f2) Self-insurance (Section 811.715).

- b) The owner or operator of a MSWRF unit shall ensure that the language of the mechanisms listed in subsection (a), when used for providing financial assurance for closure, postclosure, and corrective action, satisfies the following:

- 1) The amount of funds assured is sufficient to cover the costs of closure, post-closure care, and corrective action; and
- 2) The funds will be available in a timely fashion when needed.

- c) The owner or operator of a MSWRF unit shall provide financial assurance utilizing one or more of the mechanisms listed in subsection (a) within the following dates:

- 1) By April 9, 1994 (the effective date of these requirements) or prior to the initial receipt of solid waste, whichever is later, in the case of closure and post-closure care; or
- 2) No later than 120 days after the remedy has been selected in accordance with the requirements of Section 811.325, in the case of corrective action.

- d) The owner or operator shall provide continuous coverage until the owner or operator is released from the financial assurance requirements pursuant to 35 Ill. Adm. Code 211.327(b) or Section 811.326.

Board Note: Subsections (b) and (c) are derived from 40 CFR 238.714(a), (1992).

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

Section 811.707 Use of Multiple Financial Mechanisms

An owner or operator may satisfy the requirements of this Subpart by establishing more than one financial mechanism per site. These mechanisms are limited to trust funds, surety bonds guaranteeing payment, letters of credit and insurance. The mechanisms must be as specified in 35 Ill. Adm. Code 811.710, 811.711, 811.713 and 811.714, respectively, except that it is the owner or operator's option to provide financial assurance for closure and postclosure care for an amount at least equal to the current cost estimate. The owner or operator may use any or all of the mechanisms to provide for closure and postclosure care of the site.

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

Section 811.708 Use of a Financial Mechanism for Multiple Sites

An owner or operator may use a financial assurance mechanism specified in this Subpart to meet the requirements of this Subpart for more than one site. The owner or operator shall specify the mechanism to be used in a list showing, for each site, the name, address and the amount of funds assured by the mechanism. The amount of funds available through the mechanism must be no less than the sum of funds that would be available if a separate mechanism had been established and maintained for each site. The amount of funds available for the Agency must be sufficient to ensure that the Agency provides postclosure care for all of the owner or operator's sites. The Agency shall direct the trust fund for each site to a single mechanism for the closure and postclosure care of any single site covered by that mechanism. The Agency shall direct only that amount of funds designated for that site, unless the owner or operator agrees to the use of additional funds available under that mechanism.

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

Section 811.709 Trust Fund for Unrelated Sites

Any person may establish a trust fund for the benefit of the Agency which may use the funds to provide financial assurance for closure and postclosure care at sites. Such a trust fund must operate like the trust fund specified in 35 Ill. Adm. Code 807.710, except as follows:

- a) The trustee shall maintain a separate account for each site and shall evaluate such annually as of the day of creation of the trust;
- b) The trustee shall annually notify each owner or operator and the Agency of the evaluation of each owner or operator's account;
- c) The trustee shall release excess funds as required from the account for each site;
- d) The trustee shall reimburse the owner or operator or other person authorized to perform closure or postclosure care only from the account for that site.
- e) The Agency may direct the trustee to withhold payments only from the account for the site for which it has determined the cost of closure and postclosure care will be greater than the value of the

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

account for that site pursuant to Section 811.710(g)(3).

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 811.710 Trust Fund

a) An owner or operator may satisfy the requirements of this Subpart by establishing a trust fund which conforms to the requirements of this Section and submitting an original signed duplicate of the trust agreement to the Agency.

b) The trustee shall be an entity which has the authority to act as a trustee and:

1) Whose trust operations are examined by the Illinois Department of Banking and Trust Companies pursuant to the Illinois Banking Act (Ill. Rev. Stat. 1989, ch. 17, pars. 301 et seq.) or

2) Who complies with the Corporate Fiduciary Act (Ill. Rev. Stat. 1989, ch. 17, pars. 1551-1 et seq.).

c) The trust agreement must be on the forms specified in Appendix A, Illustration A, and the trust agreement must be accompanied by a formal certification of acknowledgment, on the form specified in Appendix A, Illustration B.

d) Payments into the trust:

1) For closure and post closure care:

a) The owner or operator shall make a payment into the trust fund each year during the pay-in period.

b) The pay-in period is the number of years remaining until the assumed closure date.

c) Annual payments are determined by the following formula:

$$\text{Annual payment} = (\text{CE}-\text{CV})/Y$$

where:

CE = Current cost estimate

CV = Current value of the trust fund

Y = Number of years remaining in the pay in period.

d) The owner or operator shall make the first annual payment prior to the initial receipt of waste for disposal from the owner or operator. The owner or operator shall also, prior to the initial receipt of waste from the owner or operator, make the initial payment to the trustee for the first annual payment.

e) Subsequent annual payments must be made no later than 30 days after each anniversary of the first payment.

f) The owner or operator may accelerate payments into the

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

trust fund, or may deposit the full amount of the current cost estimate at the time the fund is established.

2) An owner or operator required to provide additional financial assurance for an increase in the cost estimate because of an amendment to this Subchapter may provide such additional financial assurance pursuant to this subsection. The owner or operator may provide such additional financial assurance by establishing a new or existing trust fund pursuant to this Section. Subsection (d)(2) notwithstanding, the pay-in period for such additional financial assurance shall be not less than three years.

2) For corrective action at MSWLF units:

A) The owner or operator shall make payments into the trust fund annually over one-half of the estimated length of the corrective action program in the case of corrective action for known releases. This period is referred to as the pay-in period.

B) The owner or operator shall make the first payment into the trust fund equal to at least one-half of the current cost estimate for corrective action divided by the number of years in the corrected action period in the pay-in period. The owner or operator shall also, prior to the initial receipt of waste from the owner or operator, make the initial payment to the trustee for the first annual payment. The amount of subsequent payments must be determined by the following formula:

$$\text{Next payment} = (\text{RB}-\text{CV})/Y$$

where:

RB = Most recent estimate of the required trust fund balance for corrective action. Subsequent estimates will be incurred during the second half of the corrective action period.

CV = Current value of the trust fund, and
Y = Number of years remaining in the pay-in period.

C) The owner or operator shall make the initial payment into the trust fund no later than 120 days after the remedy has been selected in accordance with the requirements of Section 811.742.

Board Note: Changes to subsection (d) are derived from 40 CFR 259.74 (a)(2), (a)(4), and (a)(5) (1992).

e) The trustee shall evaluate the trust fund annually, as of the day the trust was created or on such earlier date as may be provided

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

in the agreement. The trustee shall notify the owner or operator and the Agency of the value within 30 days after the evaluation date.

- f) If the owner or operator of a MSWRF unit establishes a trust fund after having used one or more alternative mechanisms specified in this Subpart, the initial payment into the trust fund must be at least the amount that the fund would contain if the trust fund were established initially and annual payments made according to the specifications of this section.

Board Note. Subsection (f) is derived from 40 CFR 258.74 (a)(6) (1982).

g) Release of excess funds:

- 1) If the value of the financial assurance is greater than the total amount of the current cost estimate, the owner or operator may submit a written request to the Agency for a release of the amount in excess of the current cost estimate.
- 2) Within 60 days after receiving a request from the owner or operator for a release of funds, the Agency shall instruct the trustee to the owner or operator such funds as the Agency specifies in writing to be in excess of the current cost estimate.

h) Reimbursement for closure and postclosure care expenses:

- 1) After initiating closure, an owner or operator, or any other person, may request reimbursement for closure and postclosure care expenses, by submitting itemized bills to the Agency.
- 2) Within 60 days after receiving the itemized bills for closure or postclosure care activities, the Agency shall determine the amount of reimbursement to be included in the closure or postclosure care plan. The Agency shall instruct the trustee to make reimbursement in such amounts as the Agency specifies in writing as expenditures in accordance with the closure or postclosure care plan.
- 3) If the Agency determines, based on such information as is available to it, that the cost of closure and postclosure care will be greater than the value of the trust fund, it shall withhold reimbursement of such amounts as it determines are necessary to preserve the in order to maintain the financial assurance for closure and postclosure care. In the event the fund is inadequate to pay all claims, the Agency shall pay claims according to the following priorities:
 - A) Persons with whom the Agency has contracted to perform closure or postclosure care activities (first priority);

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- B) Persons who have completed closure or postclosure care authorized by the Agency (second priority);

- C) Persons who have completed work which furthered the closure or postclosure care (third priority);

- D) The owner or operator and related business entities (last priority).

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 811.711 Surety Bond Guaranteeing Payment

- a) An owner or operator may satisfy the requirements of this Subpart by obtaining a surety bond from a licensed surety company. The bond must be submitted to the Agency. A surety bond obtained by an owner or operator of a MSWRF unit must be effective before the initial receipt of waste or before April 9, 1994 (the effective date of the financial assurance requirements under RCRA Subtitle B regulations). Whenever a letter in the case of a MSWRF unit has been selected in accordance with the requirements of Section 811.325.

- b) The surety company, issuing the bond shall be licensed by the Insurance Code (Ill. Rev. Stat. 1987, ch. 73, para. 613 et seq.).

- c) The surety bond must be on the forms specified in Appendix A, Illustration C, D or H.

- d) Any payments made under the bond will be placed in the landfill closure and postclosure fund within the State Treasury.

e) Conditions:

- 1) The bond must guarantee that the owner or operator will satisfy the requirements of this Subpart in accordance with the approved closure and postclosure care plans. If the facility is a MSWRF unit, then the bond must also guarantee that the owner or operator will implement corrective action in accordance with Section 811.325.

- 2) The surety will become liable on the bond obligation when, during the term of the bond, the owner or operator fails to perform as guaranteed by the bond. The owner or operator fails to perform when the owner or operator:
 - A) Abandons the site;
 - B) Is adjudicated bankrupt;
 - C) Fails to initiate closure of the site or postclosure care as required to do by the Agency pursuant to Title VII of the Act or which is ordered to do so by a court of competent jurisdiction; or
 - D) Notifies the Agency that it has initiated closure, or

NOTICE OF PROPOSED AMENDMENTS

Board Note. corrective Action language at subsection (a) is derived from 40 CFR 258.74(b)(1) (1992). The other clarifying changes reflect the inclusion of financial assurance requirements for implementing corrective action at MSWRF units under this Section.

MSWLF units under this Section.

(Source: Amended at 17 Ill. Reg. , effective)

Section 811.712 Surety Bond Guaranteeing Performance

of examining a surety bond when concerns to the requirements of this Section and submitting the bond to the Agency. A surety

1994 (the effective date of the financial assurance requirements)

case of closure and post-closure care, or no later than 120 days after the remedy has been selected in accordance with the requirements of section 811.325.

b) The surety company issuing the bond shall be licensed by the Illinois Department of Insurance pursuant to the Illinois Insurance Code.

closure and postclosure fund within the State Treasury.

the option of providing closure and postclosure care for

2) The surety will become liable on the bond obligation when, during the term of the bond, the owner or operator fails to perform as guaranteed by the bond. The owner or operator fails to perform when the owner or operator:

C) Fails to initiate closure of the site or postclosure care when ordered to do so by the Board pursuant to Title VII of the Act, or when ordered to do so by a court of competent jurisdiction; or

D) Notifies the Agency that it has initiated closure, or

ILLINOIS REGISTER
POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

initiates closure, but fails to close the site or provide postclosure care in accordance with the closure and postclosure care plans.

E) Fails to implement corrective action at a MSWLF unit in accordance with Section 811.326

f) Penal sum:

- 1) The penal sum of the bond must be in an amount at least equal to the current cost estimate.
- 2) The Agency shall approve a reduction in the penal sum whenever the current cost estimate decreases.

g) Term:

- 1) The bond must be issued for a term of at least five years and must not be cancelable during that term.
- 2) If the owner or operator fails to provide substitute financial assurance prior to expiration of a bond, the term of the bond shall be extended for one year, and the twelve-month period starting with the date of expiration of the bond. During such extension, the bond will cease to serve as financial assurance satisfying the requirements of this Part, and will not excuse the owner or operator from the duty to provide substitute financial assurance.

h) Cure of default and refunds:

- 1) The Agency shall release the surety if, after the surety becomes liable on the bond, the owner or operator or another party provides substitute financial assurance and the Agency provides postclosure care of the site or corrective action at a MSWLF unit, unless the Agency determines that the closure or postclosure care plan, corrective action at a MSWLF unit, or the amount of substituted financial assurance is inadequate to provide closure and postclosure care or implement corrective action at a MSWLF unit in compliance with this Part.
- 2) After closure and postclosure care have been completed in accordance with the closure and postclosure care plans and the Agency determines that the owner or operator has completed corrective action at a MSWLF unit, the Agency shall refund any unpaid money which was paid to the Agency by the surety.
- 1) The surety will not be liable for deficiencies in the performance of closure by the owner or operator if the Agency releases the owner or operator from the requirements of this Subpart.

Board Note. MSWLF corrective action language at subsection (a) is derived from 40 CFR 238.74 (b)(1) (1992). The other clarifying language is derived from the language of financial assurance requirements for implementing corrective action at MSWLF units under this Section.

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 811.713 Letter of Credit

- a) An owner or operator may satisfy the requirements of this Subpart by obtaining an irrevocable standby letter of credit which conforms to the requirements of this Section and submitting the letter to the Agency. A letter of credit obtained by an owner or operator of a MSWLF unit must be effective before the initial receipt of waste or before April 9, 1994 (the effective date of the amendments to this Section) and must be in full compliance with all applicable Federal, State and local laws, regulations, and conditions, whichever is later, in the case of closure and postclosure care, or no later than 120 days after the remedy has been selected in accordance with the requirements of Section 811.325.

- b) The issuing institution shall be an entity which has the authority to issue letters of credit and:

- 1) Whose letter-of-credit operations are regulated by the Illinois Commissioner of Banks and Trust Companies; or,
- 2) Whose deposits are insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

c) Forms:

- 1) The letter of credit must be on the forms specified in Appendix A, Illustration E.
- 2) The letter of credit must be accompanied by a letter from the issuing institution, dated and signed by the president or authorized officer of the institution, and providing the following information: name and address of the site and the amount of funds assured for closure and postclosure care of the site, and for corrective action at a MSWLF unit by the letter of credit.

- d) Any amounts drawn by the Agency pursuant to the letter of credit will be deposited in the landfill closure and postclosure fund within the State Treasury.

e) Conditions on which the Agency may draw on the letter of credit:

- 1) The Agency shall draw on the letter of credit if the owner or operator fails to perform closure or postclosure care in accordance with the closure and postclosure care plans, or fails to implement corrective action at a MSWLF unit in accordance with Section 811.326.
- 2) The Agency shall draw on the letter of credit when the owner or operator:
 - A) Abandons the site;
 - B) Is adjudicated bankrupt;

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- C) Fails to initiate closure of the site or postclosure care when ordered to do so by the Board pursuant to Title VII of the Act, or when ordered to do so by a court of competent jurisdiction; or
- D) Notifies the Agency that it has initiated closure, or initiates closure, but fails to provide closure and postclosure care in accordance with the closure and postclosure care plans.

E) Fails to implement corrective action at a MSWLF unit in accordance with Section 811.326

- f) Amount:
- 1) The letter of credit must be issued in an amount at least equal to the current cost estimate.
 - 2) The Agency shall approve a reduction in the amount whenever the current cost estimate decreases.

g) Term:

- 1) The letter of credit must be issued for a term of at least five years and must be irrevocable during that term.
- 2) If the owner or operator fails to substitute alternative financial assurance prior to expiration of a letter of credit, the term of the letter of credit must be automatically extended for one twelve-month period starting with the date of expiration. During such extension, the owner or operator must provide financial assurance satisfying the requirements of this Part, and will not excuse the owner or operator from the duty to provide substitute financial assurance.

h) Cure of default and refunds:

- 1) The Agency shall release the financial institution if, after the Agency is allowed to draw on the letter of credit, the owner or operator or another person provides financial assurance for closure and postclosure care of the site or determines that plan or the amount of substituted financial assurance is inadequate to provide closure and postclosure care, or implement corrective action at a MSWLF unit, as required by this Part.
- 2) After closure and postclosure care have been completed in accordance with the closure and postclosure care plans and the requirements of this Part or after the completion of corrective action at a MSWLF unit in accordance with Section 811.326, the Agency shall refund any unspent money which was paid to the Agency by the financial institution.

Board Note. MSWLF corrective action language at subsection (a) is derived from 40 CFR 258.74 (c)(1) (1992). The other clarifying changes reflect the inclusion of financial

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Assurance requirements for implementing corrective action at MSWLF units under this Section.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 811.714 Closure Insurance

- a) An owner or operator may satisfy the requirements of this Subpart by providing financial assurance that meets the same requirements to the requirements of this Section and submitting an executed duplicate original of such insurance policy to the Agency.
- b) The insurer shall be licensed to transact the business of insurance by the Illinois Department of Insurance pursuant to the Illinois Insurance Code.
- c) The policy must be on forms approved by the Illinois Department of Insurance pursuant to the Illinois Insurance Code.
- d) Face amount:

- 1) The closure and postclosure care insurance policy must be issued for a face amount at least equal to the current cost estimate. The term "face amount" means the total amount the insurer is obligated to pay under the policy. Actual amounts paid by the insurer may be less than the face amount, although the insurer's future liability will be lowered by the amount of the payments.
- 2) The Agency shall approve a reduction in the amount of the policy whenever the current cost estimate decreases.

- e) The closure and postclosure care insurance policy must guarantee that funds will be available to close the site and to provide postclosure care thereafter. The policy must also guarantee that, once closure begins, the insurer will be responsible for paying out funds up to an amount equal to the face amount of the policy, and that the Agency shall not be liable for the parties as the Agency specifies. The insurer will be liable when:

- 1) The owner or operator abandons the site;
 - 2) The owner or operator is adjudicated bankrupt;
 - 3) The Board, pursuant to Title VIII of the Act, or a court of competent jurisdiction orders the site closed;
 - 4) The owner or operator notifies the Agency that it is initiating closure; or
 - 5) Any person initiates closure with approval of the Agency.
- f) Reimbursement for closure and postclosure care expenses:
- 1) After initiating closure, an owner or operator or any other person authorized to perform closure or postclosure care may request reimbursement for closure and postclosure care expenditures by submitting itemized bills to the Agency.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 2) Within 60 days after receiving bills for closure or postclosure care activities, the Agency shall determine whether the expenditures are in accordance with the closure policy. If not, the Agency shall advise the insurer to make reimbursement in such amounts as the Agency specifies in writing as expenditures in accordance with the closure and postclosure care plans.
- 3) If the Agency determines based on such information as is available to it that the cost of closure and postclosure care will be greater than the face amount of the policy, it shall withhold reimbursement of such amounts as it deems prudent until it determines that the owner or operator is no longer financially able to meet its obligations. In the event the face amount of the policy is inadequate to pay all claims, the Agency shall pay claims according to the following priorities:
- Persons with whom the Agency has contracted to perform closure or postclosure care activities (first priority);
 - Persons who have completed closure or postclosure care authorized by the Agency (second priority);
 - Persons who have completed work which furthered the closure or postclosure care (third priority);
 - The owner or operator and related business entities (last priority).
- 9) Cancellation:
- The owner or operator shall maintain the policy in full force and effect until the Agency releases the insurer pursuant to Section 811.702.
 - The policy must provide that the insurer may not cancel, terminate or fail to renew the policy, except for failure to pay the premium. The automatic renewal of the policy must, at a minimum, provide the insured with the option of renewal, and the insured may elect to renew the policy. If the insured fails to pay the premium, the insurer may elect to cancel, terminate or fail to renew the policy by sending notice by certified mail to the owner or operator and the Agency. Cancellation, termination or failure to renew may not occur, however, during the 120 days beginning with the date of expiration of the policy. If the insured is the owner or operator, as evidenced by the return receipts for cancellation, termination or failure to renew may not occur and the policy will remain in full force and effect in the event that on or before the date of expiration the premium due is paid.
 - Each policy must contain a provision allowing assignment of the policy to a successor owner or operator. Such assignment may be conditional upon consent of the insurer, provided such consent is not unreasonably refused.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- (Source: Amended at 17 Ill. Reg. _____, effective _____)
- Section 811.715 Self-Insurance for Non-commercial Sites
- a) Definitions. The following definitions are intended to assist in the understanding of this Part and are not intended to limit the meanings of terms in any way that conflicts with generally accepted accounting principles:
- "Assets" means all existing and all probable future economic benefits obtained or controlled by a particular entity.
- "Current assets" means cash or other assets or resources convertible into cash or other assets reasonably expected to be realized in cash or sold or consumed during the normal operating cycle of the business.
- "Current liabilities" means obligations whose liquidation is reasonably expected to require the use of current assets or other current liabilities.
- "Generally accepted accounting principles" means Auditing Standards--Current Text, incorporated by reference at 35 Ill. Adm Code 810.104.
- "Gross Revenue" means total receipts less returns and allowances.
- "Independently audited" refers to an audit performed by an independent public accountant in accordance with generally accepted auditing standards.
- "Liabilities" means probable future sacrifices of economic benefits arising from present obligations to transfer assets or provide services to other entities in the future as a result of past transactions or events.
- "Net working capital" means current assets minus current liabilities.
- "Net worth" means total assets minus total liabilities and is equivalent to owner's equity.
- "Tangible net worth" means tangible assets less liabilities; tangible assets do not include intangibles such as goodwill and rights to patents or royalties.
- b) Information to be filed
- An owner or operator may satisfy the financial assurance requirements of this Part by providing the following:
- Bond without surety promising to pay the cost estimate (subsection c)).
 - Proof that the owner or operator meets the gross revenue test (subsection d)).

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 3) Proof that the owner or operator meets the financial test (subsection (e)).
- c) Bond Without Surety. An owner or operator utilizing self-insurance shall provide a bond without surety on the forms prescribed by the Agency. The owner or operator shall promise to pay the current cost estimate to the Agency unless the owner or operator provides closure and postclosure care in accordance with the closure and postclosure care plans.
- d) Gross Revenue Test. The owner or operator shall demonstrate that the gross revenue of the owner or operator is sufficient to cover disposal operations. Revenue is "from waste disposal operations" if it would stop upon cessation of the owner or operator's waste disposal operations.
- e) Financial Test
 - 1) To pass the financial test, the owner or operator shall meet the criteria of either subsection (e)(1)(A) or (e)(1)(B):
 - A) The owner or operator shall have:
 - i) Two of the following three ratios: a ratio of total liabilities to net worth of less than 2.0; a ratio of the sum of net income plus depreciation, depletion and amortization to total liabilities of greater than 0.1; or a ratio of current assets to current liabilities of greater than 1.5; and
 - ii) Net working capital and tangible net worth each at least six times the current cost estimate; and
 - iii) Tangible net worth of at least \$10 million; and
 - iv) Assets in the United States amounting to at least 90 percent of the owner or operator's total assets and at least six times the current cost estimate.
 - B) The owner or operator shall have:
 - i) A current rating of AA, AA-, A or BBB for its general obligation bonds as rated by Moody's and Poor's or rating of Aaa, Aaa-, A or Baa, as issued by Moody; and
 - ii) Tangible net worth at least six times the current cost estimate; and
 - iii) Tangible net worth of at least \$10 million; and
 - iv) Assets located in the United States amounting to at least 90 percent of its total assets or at least six times the current cost estimate.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 2) To demonstrate that it meets this test, the owner or operator shall submit the following items to the Agency:
 - A) A letter signed by the owner or operator's chief financial officer and worded as specified in Appendix A, Illustration 1; and
 - B) A copy of the independent certified public accountant's report on examination of the owner or operator's financial statements for the latest completed fiscal year; and
 - C) A special report from the owner or operator's independent certified public accountant to the owner or operator stating that:
 - i) The accountant has compared the data which the letter from the chief financial officer specifies as having been derived from the independently audited, year-end financial statements for the latest fiscal year with the amounts in such financial statements; and
 - ii) In connection with that procedure, no matters came to the accountant's attention which caused the accountant to believe that the specified data should be adjusted.
- f) Updated Information.
 - 1) After the initial submission of items specified in subsections (d) and (e), the owner or operator shall send updated information to the Agency within 90 days after the close of each succeeding fiscal year.
 - 2) If the owner or operator no longer meets the requirements of subsections (d) and (e), the owner or operator shall send notice to the Agency of intent to establish alternative financial assurance. The notice must be sent by certified mail within 90 days after the end of the fiscal year for which the financial data are submitted, and the owner or operator no longer meets the requirements.
- g) Qualified Opinions. If the opinion required by subsections (e)(2)(B) and (e)(2)(C) includes an adverse opinion or a disclaimer of opinion, the owner or operator must obtain self-insurance. If the opinion includes other qualifications, the Agency shall disallow the use of self-insurance if:
 - 1) The qualifications relate to the numbers which are used in the gross revenue test or the financial test; and,
 - 2) In light of the qualifications, the owner or operator has failed to demonstrate that it meets the gross revenue test or financial test.
- h) Parent Corporation. An owner or operator may satisfy the financial assurance requirements of this Part by demonstrating

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

that a corporation which owns an interest in the owner or operator meets the gross revenue and financial tests. The owner or operator shall obtain a bond with the parent as Surety (Appendix A, Illustration B).

(Source: Amended at 17 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Section 811. Appendix B Section-by-Section Correlation between the Standard of the RCRA Subtitle D Remediation and the Board's Comprehensive Waste Landfill Regulations.

RCRA SUBTITLE D REGULATIONS		ILLINOIS LANDFILL REGULATIONS	
I. SUBPART A: General			
1) Purpose, Scope, and Applicability (40 CFR 258.1)		1)	NL: Sections 811.101, 811.301, 811.401, 811.501, and 811.700. EL: Section 814.101.
2) Definitions (40 CFR 258.2)		2)	Section 810.103.
II. SUBPART B: Location Restrictions			
1) Airport safety (40 CFR 258.10)		1)	NL: Section 811.302(e). EL: Section 814.302(c) and 814.402(c).
2) Floodplains. (40 CFR 258.11)		2)	NL: Section 811.102(b). EL: Section 814.302 and 814.402.
3) Wetlands. (40 CFR 258.12)		3)	NL: Sections 811.102(d), 811.102(e), and 811.103. EL: Section 814.302 and 814.402.
4) Fault areas. (40 CFR 258.13)		4-5)	NL: Sections 811.304 and 811.305. EL: Section 814.302 and 814.402.
5) Seismic impact zones. (40 CFR 258.14)			
6) Unstable areas. (40 CFR 258.15)		6)	NL: Sections 811.304 and 811.305. EL: Sections 811.302(c) and 811.402(c).
7) Closure of existing MSWLF units. (40 CFR 258.16)		7)	EL: Sections 814.301 and 814.401.
III. SUBPART C: Operating Criteria			
1) Procedures for excluding the receipt of hazardous waste. (40 CFR 258.20)		1)	NL: Section 811.323. EL: Sections 814.302 and 814.402.
2) Cover material requirements. (40 CFR 258.21)		2)	NL: Section 811.106. EL: Sections 814.302 and 814.402.

1 - NL: New Landfill; 2 - EL: Existing Landfill and Lateral Expansions.

POLLUTION CONTROL BOARD
NOTICE OF PROPOSED AMENDMENTS

RCRA SUBTITLE D REGULATIONS		ILLINOIS LANDELL REGULATIONS	
III. SUBPART C: Operating criteria (contd.)			
3)	Disease vector control. (40 CFR 258.22)	3)	NL: Section 811.107(f). EL: Sections 814.302 and 814.402
4)	Explosive gas control. (40 CFR 258.23)	4)	NL: Sections 811.310, 811.311, and 811.312. EL: Sections 814.302 and 814.402
5)	Air criteria. (40 CFR 258.24)	5)	NL: Sections 811.107(b), 811.310, and 811.311. EL: Sections 814.302 and 814.402
6)	Access requirements. (40 CFR 258.25)	6)	NL: Section 811.109. EL: Sections 814.302 and 814.402
7)	Run-on/run-off control system. (40 CFR 258.26)	7)	NL: Section 811.103. EL: Sections 814.302 and 814.402
8)	Surface water requirements. (40 CFR 258.27)	8)	same as above.
9)	Liquid restrictions. (40 CFR 258.28)	9)	NL: Section 811.107(m). EL: Sections 814.302 and 814.402
10)	Recordkeeping requirements. (40 CFR 258.29)	10)	NL: Sections 811.112 and Parts 812 and 813. EL: Sections 814.302 and 814.402
IV. SUBPART D: Design criteria (40 CFR 258.40)		11)	NL: 811.303, 811.304, 811.305, 811.306, 811.307, 811.308, 811.309, 811.315, 811.316, 811.317, and 811.318 Subpart E. EL: Sections 814.302 and 814.402
V. SUBPART E: Groundwater Monitoring and Corrective Action.		12)	NL: 35 Section 811.319(a)(1). EL: Sections 814.302 and 814.402
1)	Applicability.	2)	NL: Sections 811.318 and 811.320(d). EL: Sections 814.302 and 814.402
2)	Groundwater monitoring systems. (40 CFR 258.51)	3)	NL: Section 811.318(e), 811.320(d), 811.320(e). EL: Sections 814.302 and 814.402
3)	Groundwater sampling and analysis. (40 CFR 258.53)		

POLLUTION CONTROL BOARD
NOTICE OF PROPOSED AMENDMENTS

RCRA SUBTITLE D REGULATIONS		ILLINOIS LANDELL REGULATIONS	
4)	Detection monitoring program. (40 CFR 258.54)	4)	NL: Section 811.319(a). EL: Sections 814.302 and 814.402
5)	Assessment monitoring program. (40 CFR 258.55)	5)	NL: Section 811.319(b). EL: Sections 814.302 and 814.402
6)	Assessment of corrective measures. (40 CFR 258.56)	6)	NL: Sections 811.319(d) and 811.324. EL: Sections 814.302 and 814.402
7)	Selection of remedy. (40 CFR 258.57)	7)	NL: Sections 811.319(d) and 811.325. EL: Sections 814.302 and 814.402
8)	Implementation of the corrective action program. (40 CFR 258.58)	8)	NL: Sections 811.319(d) and 811.325. EL: Sections 814.302 and 814.402
VI. SUBPART F: Closure and Post-Closure Care.		1)	NL: Sections 811.110, 811.315 and 811.322. EL: Sections 814.302 and 814.402
2)	Post-closure care requirements. (40 CFR 258.61)	2)	NL: Section 811.111. EL: Sections 814.302 and 814.402
VII. SUBPART G: Financial Assurance Criteria		1)	NL: Section 811.700. EL: Sections 814.302 and 814.402
2)	Financial assurance for closure. (40 CFR 258.71)	2, 3 and 4)	NL: Sections 811.701 through 811.705. EL: Sections 814.302 and 814.402
3)	Financial assurance for post-closure. (40 CFR 258.72)		
4)	Financial assurance for corrective action. (40 CFR 258.73)		
5)	Allowable mechanisms. (40 CFR 258.73)		

(Source: Added at 17 Ill. Reg. _____, effective _____)

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED AMENDMENTS

1) The Heading of the Part:

Intermediate Care for the Developmentally Disabled Facilities Code

2) Code Citation:

77 Ill. Adm. Code 350

3) Section Numbers:

350.3730

Proposed Action:

Amendments

4) Statutory Authority:

The Nursing Home Care Act
Ill. Rev. Stat. 1991, ch. 111 1/2, par. 4151-101 et seq.
[210 ILCS 45/1-101 et seq. (1992)]

5) A Complete Description of the Subjects and Issues Involved:

The Department of Public Health is proposing these amendments to implement a consent decree in the case of Frank Buzard et al. v. Philip Bradley, Jess McDonald, John R. Lumpkin, Audrey McCrimmon, and Marjalee Lindley. The settlement agreement requires the Department to propose amendments to Parts 350 and 370 of Title 77 of the Illinois Administrative Code. The amendments prohibit admission policies that discriminate against persons solely on the basis of their mobility limitations and state that nothing in this Part shall excuse compliance with accessibility or reasonable accommodation requirements of state or federal law. The Department has adopted similar emergency amendments, which became effective on June 7, 1993.

Section 350.3730 - Subsection (b) is being amended to state that no resident shall be denied admission solely on the basis of mobility limitations. A new subsection (d) is added to state that nothing in this Part shall excuse facility compliance with accessibility or reasonable accommodation requirements of state or federal law. In addition, an error in the incorporation by reference of the Life Safety Code is corrected in subsection (b)(3). Chapter 24, which is currently referenced, establishes building construction standards for new mercantile occupancies. Chapter 21, which is the correct reference, establishes standards for long-term care facilities. The standards in Chapter 21 recognize that persons with different abilities will have different responses to a fire emergency. The subsection has also been reworded to more clearly state the requirements, and specific references to Chapters of the Life Safety Code have been added.

The economic effect of this proposed rulemaking is unknown. Therefore, the Department requests any information that would assist in calculating this effect.

The Department anticipates adoption of this rulemaking approximately six to nine months after

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED AMENDMENTS

the publication of the notice in the Illinois Register.6) Will this Rulemaking Replace an Emergency Rule Currently in Effect?Yes X No 7) Does this Rulemaking Contain an Automatic Repeat Date?Yes No XIf "yes," please specify the date: 8) Does this Rulemaking Contain Any Incorporations By Reference?Yes X No 9) Are there any other Proposed Amendments Pending on this Part?Yes X No If Yes:

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
350.1235	New Section	16 Ill. Reg. 15044
350.640	Amendments	16 Ill. Reg. 17500
350.175	Amendments	17 Ill. Reg. 1269
350.180	Amendments	17 Ill. Reg. 1260
350.260	Amendments	17 Ill. Reg. 6028
350.270	Amendments	17 Ill. Reg. 1269
350.271	Amendments	17 Ill. Reg. 6028
350.278	Amendments	17 Ill. Reg. 6028
350.290	Amendments	17 Ill. Reg. 1269
350.640	Amendments	17 Ill. Reg. 1269
350.680	Amendments	17 Ill. Reg. 1269
350.685	Amendments	17 Ill. Reg. 1269
350.3210	Amendments	17 Ill. Reg. 1269
350.3330	Amendments	17 Ill. Reg. 1269
350.Appendix A	Repealer	17 Ill. Reg. 1269

10) Statement of Statewide Policy Objectives:

This rulemaking does not create or expand a state mandate.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by writing to Ms. Gail M. DeVito, Division of Governmental Affairs, Illinois Department of Public Health, 535 West Jefferson, Fifth Floor, Springfield, Illinois 62761 within 45 days after this issue of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 1-75 and 5-30 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Gail M. DeVito at the above address.

Any small business (as defined in Section 1-75 of the Illinois Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

B) Type of Small Businesses Affected:

long-term care facilities

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

D) Types of Professional Skills Necessary for Compliance:

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER 1: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER c: LONG-TERM CARE FACILITIES

PART 350

INTERMEDIATE CARE FOR THE DEVELOPMENTALLY DISABLED FACILITIES CODE

SUBPART A: GENERAL PROVISIONS

Section	General Requirements
350.110	Application for License
350.120	License
350.130	Issuance of an Initial License for a New Facility
350.140	Issuance of an Initial License Due to a Change of Ownership
350.150	Issuance of a Renewal License
350.160	Criteria for Adverse License Actions
350.165	Denial of Initial License
350.170	Denial of Renewal of License
350.175	Revocation of License
350.180	Experimental Program: Conflicting With Requirements
350.190	Inspections, Surveys, Evaluations and Consultation
350.200	Filing an Annual Attested Financial Statement
350.210	Information to Be Made Available to the Public By the Department
350.220	Information to Be Made Available to the Public By the Licensee
350.230	Municipal Licensing
350.240	Ownership Disclosure
350.250	Issuance of Conditional Licenses
350.260	Monitor and Receivership
350.270	Presentation of Findings
300.271	Determination to Issue a Notice of Violation or Administrative Warning
350.272	Determination of the Level of a Violation
350.274	Notice of Violation
350.276	Administrative Warning
350.277	Plans of Correction
350.280	Reports of Correction
350.282	Conditions for Assessment of Penalties
350.284	Calculation of Penalties
350.286	Determination to Assess Penalties
350.288	Reduction or Waiver of Penalties
350.290	Quarterly List of Violators
350.300	Alcoholism Treatment Programs In Long-Term Care Facilities
350.310	Department May Survey Facilities Formerly Licensed

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

350.320
350.330
350.340

Waivers
Definitions
Incorporated and Referenced Materials

SUBPART B: ADMINISTRATION

Section
350.510

Administrator

SUBPART C: POLICIES

Section
350.610

Management Policies
Resident Care Policies
Admission and Discharge Policies
Contract Between Resident and Facility
Residents' Advisory Council
General Policies
Personnel Policies
Initial Health Evaluation for Employees
Developmental Disabilities Aides
Student Interns
Disaster Preparedness
Serious Incidents and Accidents

350.620
350.630
350.640
350.650
350.660
350.670
350.675
350.680
350.685
350.690
350.700

SUBPART D: PERSONNEL

Section
350.810
350.820
350.830

Personnel
Consultation Services
Personnel Policies

SUBPART E: RESIDENT LIVING SERVICES

Section
350.1010
350.1020
350.1030
350.1040
350.1050
350.1060
350.1070

Service Programs
Psychological Services
Social Services
Speech Pathology and Audiology Services
Recreational and Activities Services
Training and Habilitation Services
Training and Habilitation Staff

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

SUBPART F: HEALTH SERVICES

Section
350.1210
350.1220
350.1225
350.1230
350.1240
350.1250

Health Services
Physician Services
Tuberculin Skin Test Procedures
Nursing Services
Dental Services
Physical and Occupational Therapy Services

SUBPART G: MEDICATIONS

Section
350.1410
350.1420
350.1430
350.1440
350.1450

Medication Policies and Procedures
Conformance with Physician's Orders
Administration of Medication
Labeling and Storage
Control of Narcotics and Legend Drugs

SUBPART H: RESIDENT AND FACILITY RECORDS

Section
350.1610
350.1620
350.1630
350.1640
350.1650
350.1660
350.1670
350.1680
350.1690

Resident Record Requirements
Content of Medical Records
Confidentiality of Residents' Records
Records Pertaining to Residents' Property
Retention and Transfer of Resident Records
Other Resident Record Requirements
Staff Responsibility for Medical Records
Retention of Facility Records
Other Facility Record Requirements

SUBPART I: FOOD SERVICE

Section
350.1810
350.1820
350.1830
350.1840
350.1850
350.1860
350.1870
350.1880

Director of Food Services
Dietary Staff in Addition to Director of Food Services
Hygiene of Dietary Staff
Diet Orders
Adequacy of Diet and Meal Pattern
Therapeutic Diets
Scheduling Meals
Menu Planning

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

350.1890 Food Preparation and Service
350.1900 Food Handling Sanitation
350.1910 Kitchen Equipment, Utensils, and Supplies

SUBPART J: MAINTENANCE, HOUSEKEEPING AND LAUNDRY

Section
350.2010 Maintenance
350.2020 Housekeeping
350.2030 Laundry Services

SUBPART K: FURNISHINGS, EQUIPMENT, AND SUPPLIES

Section
350.2210 Furnishings
350.2220 Equipment and Supplies

SUBPART L: WATER SUPPLY AND SEWAGE DISPOSAL

Section
350.2410 Codes
350.2420 Water Supply
350.2430 Sewage Disposal
350.2440 Plumbing

SUBPART M: CONSTRUCTION STANDARDS FOR NEW INTERMEDIATE CARE FACILITIES FOR THE DEVELOPMENTALLY DISABLED

Section
350.2610 Applicability of These Standards
350.2620 Codes and Standards
350.2630 Preparation of Drawings and Specifications
350.2640 Site
350.2650 Administration and Public Areas
350.2660 Nursing Unit
350.2670 Dining, Living, Activities Rooms
350.2680 Therapy and Personal Care
350.2690 Service Departments
350.2700 General Building Requirements
350.2710 Structural
350.2720 Mechanical Systems
350.2730 Plumbing Systems
350.2740 Electrical Systems

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

SUBPART N: CONSTRUCTION STANDARDS FOR EXISTING INTERMEDIATE CARE FACILITIES FOR THE DEVELOPMENTALLY DISABLED

Section
350.2910 Applicability
350.2920 Codes and Standards
350.2930 Preparation of Drawings and Specifications
350.2940 Site
350.2950 Administration and Public Areas
350.2960 Nursing Unit
350.2970 Living, Dining, Activities Rooms
350.2980 Treatment and Personal Care
350.2990 Service Departments
350.3000 General Building Requirements
350.3010 Structural
350.3020 Mechanical Systems
350.3030 Plumbing Systems
350.3040 Electrical Requirements

SUBPART O: RESIDENT'S RIGHTS

Section
350.3210 General
350.3220 Medical and Personal Care Program
350.3230 Restraints
350.3240 Abuse and Neglect
350.3250 Communication and Visitation
350.3260 Resident's Funds
350.3270 Residents' Advisory Council
350.3280 Contract With Facility
350.3290 Private Right of Action
350.3300 Transfer or Discharge
350.3310 Complaint Procedures
350.3320 Confidentiality
350.3330 Facility Implementation

SUBPART P: SPECIAL STANDARDS FOR INTERMEDIATE CARE FACILITIES FOR THE DEVELOPMENTALLY DISABLED OF 16 BEDS OR LESS

Section
350.3710 Applicability of Other Provisions of this Part
350.3720 Administration
350.3730 Admission and Discharge Policies

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

350.3740	Personnel
350.3750	Consultation Services and Nursing Services
350.3760	Medication Policies
350.3770	Food Services
350.3780	Codes and Standards
350.3790	Administration and Public Areas
350.3800	Bedrooms
350.3810	Nurses Station
350.3820	Bath and Toilet Rooms
350.3830	Utility Rooms
350.3840	Living, Dining, Activity Rooms
350.3850	Therapy and Personal Care
350.3860	Kitchen
350.3870	Laundry Room
350.3880	General Building Requirements
350.3890	Corridors
350.3900	Special Care Room
350.3910	Exit Facilities and Subdivision of Floor Areas
350.3920	Stairways, Vertical Openings and Doorways
350.3930	Hazardous Areas and Combustible Storage
350.3940	Mechanical Systems
350.3950	Heating, Cooling, and Ventilating Systems
350.3960	Plumbing Systems
350.3970	Electrical Systems
350.3980	Fire Alarm and Detection System
350.3990	Emergency Electrical System
350.4000	Fire Protection
350.4010	Construction Types
350.4020	Equivalencies
350.4030	New Construction Requirements

SUBPART Q: DAY CARE PROGRAMS

Section	Day Care in Long-Term Care Facilities
350.4210	
350.4210	Classification of Distinct Part of a Facility for Different Levels of Service
350.4210	Federal Requirements Regarding Residents' Rights
350.4210	Seismic Zone Map
350.4210	Forms for Day Care in Long-Term Care Facilities
350.4210	Sound Transmission Limitations in New Intermediate Care Facilities for the Developmentally Disabled
350.4210	Pressure Relationships and Ventilation Rate of Certain Areas for the New Intermediate

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

350.4210	Care Facilities for the Developmentally Disabled
350.4210	Construction Types and Sprinkler Requirements for Existing Intermediate Care Facilities for the Developmentally Disabled
350.4210	Food Service Sanitation Rules and Regulations, 77 Ill. Adm. Code 750, 1983
350.4210	Applicable for New Intermediate Care Facilities for the Developmentally Disabled at Sixteen (16) Beds or Less
350.4210	Construction Types and Sprinkler Requirements for New Intermediate Care Facilities for the Developmentally Disabled of Sixteen (16) Beds or Less
350.4210	Disaster Preparedness Parameters - Relative Humidity and Temperature.

AUTHORITY: Implementing and authorized by the Nursing Home Care Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 4151-101 et seq.) [210 ILCS 45/1-101 et seq. (1992)].

SOURCE: Emergency rules adopted at 4 Ill. Reg. 10, p. 495, effective March 1, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 30, p. 1, effective July 28, 1980; amended at 5 Ill. Reg. 1657, effective February 4, 1981; amended at 6 Ill. Reg. 5981, effective May 3, 1982; amended at 6 Ill. Reg. 6453, effective May 14, 1982; amended at 6 Ill. Reg. 8198, effective June 29, 1982; amended at 6 Ill. Reg. 14544, effective November 8, 1982; amended at 6 Ill. Reg. 14675, effective November 15, 1982; amended at 6 Ill. Reg. 15556, effective December 15, 1982; amended at 7 Ill. Reg. 278, effective December 22, 1982; amended at 7 Ill. Reg. 1919 and 1945, effective January 28, 1983; amended at 7 Ill. Reg. 7963, effective July 1, 1983; amended at 7 Ill. Reg. 15817, effective November 15, 1983; amended at 7 Ill. Reg. 16984, effective December 14, 1983; amended at 8 Ill. Reg. 15574 and 15578 and 15581, effective August 15, 1984; amended at 8 Ill. Reg. 15935, effective August 17, 1984; amended at 8 Ill. Reg. 16980, effective September 29, 1984; codified at 8 Ill. Reg. 19806; December 7, 1984; amended at 9 Ill. Reg. 142, effective December 26, 1984; amended at 9 Ill. Reg. 331, effective December 28, 1984; amended at 9 Ill. Reg. 2964, effective February 25, 1985; amended at 9 Ill. Reg. 10876, effective July 1, 1985; amended at 11 Ill. Reg. 14795, effective October 1, 1987; amended at 11 Ill. Reg. 16830, effective October 1, 1987; amended at 12 Ill. Reg. 979, effective December 24, 1987; amended at 12 Ill. Reg. 16838, effective October 1, 1988; emergency amendment at 12 Ill. Reg. 18705, effective October 24, 1988, for a maximum of 150 days; emergency expired March 23, 1989; amended at 13 Ill. Reg. 6040, effective April 17, 1989; amended at 13 Ill. Reg. 19451, effective December 1, 1989; amended at 14 Ill. Reg. 14876, effective October 1, 1990; amended at 15 Ill. Reg. 466, effective January 1, 1991; amended at 16 Ill. Reg. 594, effective January 1, 1992; amended at 16 Ill. Reg. 13910, effective September 1, 1992; emergency amendment at 17 Ill. Reg. 2373, effective February 3, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 2351, effective February 10, 1993; emergency amendment at 17 Ill. Reg. 7948, effective May 6, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 9105, effective June 7, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. _____ effective _____.

NOTE: Italics and capitalization denote statutory language.

Section 350.3730 Admission and Discharge Policies

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

- a) Residents shall only be admitted who have had a comprehensive evaluation covering physical, emotional, social and cognitive factors, reviewed by an appropriately constituted interdisciplinary team (IDT). As part of this evaluation, the resident's capabilities for self-preservation shall be determined. (b)
- b) No residents shall be denied admission solely on the basis of mobility limitations. ~~admitted to, or kept in, the facility who is not independently, with or without devices, mobile unless: If a resident has mobility limitations:~~
- 1) The interdisciplinary team in the comprehensive evaluation shall conclude and documents that:
 - A) the person's needs (medical, social, psychological, and developmental) can be met at the facility; and
 - B) admission to the facility is in the best interest of the person; and
 - C) admission of the person to the facility will not adversely affect any resident currently at the facility.
 - 2) The physical plant and equipment must will not be a barrier to the person's achieving all adjudged capabilities.
 - 3) The physical plant is ~~built to~~ must comply with ~~"[impractical]" standards~~ Evacuation Capability (21-2.2.4) as defined in Chapter 21 24 of the Life Safety Code (National Fire Protection Association Standard Number 101, 1985 edition); or there is must be adequate available trained staff, as evaluated by the Department and as determined by the calculation of the Level of Evacuation Difficulty as defined in Appendix F of the Life Safety Code (NFPA 101, 1985 edition) so as to meet ~~"[Slow Evacuation Capability (21-2.2.3)] or [Prompt building standards]-Evacuation Capability (21-2.2.2)]~~
- c) Each resident of an ICF/DD of 16 Beds or Less shall be either employed or enrolled in an external day program, off the grounds of the facility, at least 240 days per year, five hours per day. A resident may participate in more than one program to meet this requirement.
- 1) The provision of employment or enrollment in a day program shall be documented in the resident's individual habilitation plan.
 - 2) Each interdisciplinary team review shall include a review of the resident's day program to assure consistent program planning and implementation.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

- 3) When possible representatives from the resident's employment or day program shall participate in the interdisciplinary team review.
- d) Nothing in this Part shall excuse facility compliance with accessibility or reasonable accommodation requirements of state or federal law.
- (Source: Amended at 17 Ill. Reg. _____, effective _____)

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED AMENDMENTS

1) The Heading of the Part:

Minimum Standards for the Licensure of Community Living Facilities

2) Code Citation:

77 Ill. Adm. Code 370

3) Section Numbers:

370-520

Proposed Action:

Amendments

4) Statutory Authority:

Community Living Facilities Licensing Act
Ill. Rev. Stat. 1991, ch. 111 1/2, par. 4181 et seq.
[210 ILCS 35/1-101 et seq. (1992)]

5) A Complete Description of the Subjects and Issues Involved:

The rules in Part 370 govern the licensure of community living facilities. These facilities are transitional residential settings that provide guidance, supervision, training and other assistance to ambulatory or mobile mildly and moderately developmentally disabled adults with the goal of eventually moving these persons to more independent living arrangements.

The Department of Public Health is proposing these amendments to implement a consent decree in the case of Frank Bozard et al. v. Philip Bradley, Jess McDonald, John R. Lumpkin, Audrey McCrimmon, and Maralea Linder. The settlement agreement requires the Department to propose amendments to Parts 350 and 370 of Title 77 of the Illinois Administrative Code. The amendments prohibit admission policies that discriminate against persons solely on the basis of their mobility limitations and state that nothing in this Part shall excuse compliance with accessibility or reasonable accommodation requirements of state or federal law. The Department has adopted similar emergency amendments, which became effective on June 7, 1993.

Section 370-520 - The rule is being renumbered to accommodate the addition of subsection (b). A new subsection (a)(3) states that no person shall be denied admission solely on the basis of mobility limitations. A provision prohibiting admission of a person who is physically or mentally incapable of walking and caring for himself/herself without the physical assistance of another person is deleted. Subsection (b) is added stating that nothing in this Part shall excuse compliance with accessibility or reasonable accommodation requirements of state or federal law.

The economic effect of this proposed rulemaking is unknown. Therefore the Department requests any information that would assist in calculating this effect.

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED AMENDMENTS

The Department anticipates adoption of this rulemaking approximately six to nine months after the publication of the notice in the Illinois Register.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect?

Yes X No

7) Does this Rulemaking Contain an Automatic Repeal Date? Yes No X

If "yes," please specify the date:

8) Does this Rulemaking Contain Any Incorporations By Reference?

Yes No X

9) Are there any other Proposed Amendments Pending on this Part?

Yes No X

If Yes:

Section Numbers	Proposed Action	Ill. Reg. Citation
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

10) Statement of Statewide Policy Objectives:

This rulemaking does not create or expand a state mandate.

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by writing to Ms. Gail M. DeVito, Division of Governmental Affairs, Illinois Department of Public Health, 535 West Jefferson, Fifth Floor, Springfield, Illinois 62761 within 45 days after this issue of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 1-75 and 5-30 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Gail M. DeVito at the above address.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

Any small business (as defined in Section 1-75 of the Illinois Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

- A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs.

B) Type of Small Businesses Affected:

community living facilities

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

none

D) Types of Professional Skills Necessary for Compliance:

professional skills necessary to assess the clients' needs

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER 1: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER C: LONG-TERM CARE FACILITIES

PART 370

MINIMUM STANDARDS FOR THE LICENSURE OF COMMUNITY LIVING FACILITIES CODE

SUBPART A: GENERAL PROVISIONS

Section	
370.110	General Requirements
370.120	Application for License
370.130	License
370.140	Issuance of an Initial License for a New Facility
370.150	Issuance of an Initial License Due to a Change of Ownership
370.160	Issuance of a Renewal License
370.170	Denial or Revocation
370.180	Experimental Program
370.190	Conflicting with Requirements
370.200	Inspections
370.210	Information to Be Made Available to the Public By the Licensee
370.220	Ownership Disclosure
370.230	Variances
370.240	Alcoholism Treatment Programs in Community Living Facilities
370.240	Definitions

SUBPART B: ADMINISTRATION

Section	
370.400	Administration

SUBPART C: POLICIES

Section	
370.510	Social and Vocational Training Program Policies
370.520	Admission and Discharge Policies
370.530	Agreement Between Resident and Facility
370.540	General Policies
370.550	Personnel Policies

SUBPART D: PERSONNEL

Section	
370.710	Personnel

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED AMENDMENTS

370.720 Personnel Policies

SUBPART E: HEALTH MAINTENANCE SERVICES

Section
370.810 Medical Care Policies
370.820 Communicable Disease Policies
370.830 Behavior Emergencies
370.840 Medication Policies

SUBPART F: PROGRAM SERVICES

Section
370.1010 Program Evaluation
370.1020 Program and Services

SUBPART G: RECORDS

Section
370.1210 General
370.1220 Other Records
370.1230 Confidentiality

SUBPART H: FOOD SERVICE

Section
370.1410 Food Service
370.1420 Adequacy of Diet
370.1430 Therapeutic Diets
370.1440 Scheduling of Meals
370.1450 Food Preparation and Service
370.1460 Food Handling Sanitation
370.1470 Kitchen Equipment, Utensils and Supplies

SUBPART I: MAINTENANCE, HOUSEKEEPING AND LAUNDRY

Section
370.1610 Maintenance
370.1620 Housekeeping
370.1630 Laundry Services

SUBPART J: FURNISHINGS, EQUIPMENT AND SUPPLIES

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED AMENDMENTS

Section
370.1810 Furnishings
370.1820 Equipment and Supplies

SUBPART K: WATER SUPPLY AND SEWAGE DISPOSAL

Section
370.2010 Codes
370.2020 Water Supply
370.2030 Sewage Disposal
370.2040 Plumbing

SUBPART L: DESIGN AND CONSTRUCTION STANDARDS FOR NEW
COMMUNITY LIVING FACILITIES

Section
370.2210 Applicability of Standards
370.2220 Codes and Standards
370.2230 Preparation of Drawings and Specifications
370.2240 Site
370.2250 Administration
370.2260 Bedrooms
370.2270 Nurses' Station
370.2280 Bath and Toilet Rooms
370.2290 Living, Dining Room, and Activity Room(s)
370.2300 Kitchen

370.2310 Laundry Room
370.2320 Housekeeping and Storage
370.2330 Building General
370.2340 Exit Facilities and Subdivision of Floor Areas
370.2350 Stairways and Vertical Openings
370.2360 Hazardous Areas
370.2370 Structural
370.2380 Mechanical Systems
370.2390 Plumbing Systems
370.2400 Electrical Systems
370.2410 Fire Alarm and Detection System
370.2420 Emergency Electrical System
370.2430 Fire Protection

SUBPART M: DESIGN AND CONSTRUCTION STANDARDS FOR EXISTING
COMMUNITY LIVING FACILITIES

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

Section	
370.2610	Applicability of Standards
370.2620	Codes and Standards
370.2630	Preparation of Drawings and Specifications
370.2640	Site
370.2650	Administration and Public Areas
370.2660	Bedrooms
370.2670	Nurses' Station
370.2680	Bath and Toilet Rooms
370.2690	Living, Dining Room, and Activity Room(s)
370.2700	Kitchen
370.2710	Laundry Room
370.2720	Housekeeping and Storage
370.2730	Building General
370.2740	Exit Facilities and Subdivision of Floor Areas
370.2750	Stairways and Vertical Openings
370.2760	Hazardous Areas
370.2770	Structural
370.2780	Mechanical Systems
370.2790	Plumbing Systems
370.2800	Electrical Systems
370.2810	Fire Alarm and Detection System
370.2820	Emergency Electrical System
370.2830	Fire Protection

SUBPART N: RESIDENT'S RIGHTS

Section	
370.3010	General
370.3020	Medical and Personal Care Program
370.3030	Restraints
370.3040	Abuse and Neglect
370.3050	Communication and Visitation
370.3060	Resident's Funds
370.3070	Private Right of Action
370.3080	Transfer and/or Discharge
370.3090	Complaint Procedures
370.3100	Confidentiality
370.3110	Facility Implementation
370.APPENDIX A	Program Standards
370.APPENDIX B	Sanitizing Solutions

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

AUTHORITY: Implementing and authorized by the Community Living Facilities Act (Ill. Rev. Stat. 19832), ch. 111 1/2, par. 4181 et seq. [210 ILCS 35/1 et seq. (1992)].

SOURCE: Emergency rules adopted at 6 Ill. Reg. 379, effective January 1, 1982, for a maximum of 150 days; adopted at 6 Ill. Reg. 6226, effective May 19, 1982; codified at 8 Ill. Reg. 19476; amended at 8 Ill. Reg. 24706, effective December 7, 1984; emergency amendment at 17 Ill. Reg. 9112, effective June 7, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. _____, effective _____.

NOTE: Italics and capitalization denote statutory language.

Section 370.520 Admission and Discharge Policies

a) These written policies shall include at a minimum the following provisions:

- 1)a) No person shall be admitted to a community living facility until and unless he/she has been determined, by an appropriate evaluation, to have a reasonable potential for returning to his/her own home or leading an independent life.
- 2)a) No person requiring prenatal or maternity care may be admitted to, nor shall reside in, a facility unless adequate prenatal and other medical services from community sources are available to her.
- 3) No person shall be denied admission solely on the basis of mobility limitations.
- 4)a) No person shall be admitted to, nor reside in a facility:

A)a) Who requires mental treatment as defined in Section 370.240 of these regulations, this Part. (See definition of "Person in Need of Mental Treatment" in Section 370.240.)

B)a) Who is destructive of property or oneself himself/herself.

C)a) Who has serious mental or emotional problems based on a diagnosis by a physician or clinical psychologist.

D)a) Who is less than eighteen (18) years of age.

5) Who is physically or mentally incapable of walking and eating for oneself without the physical assistance of another person.

E)a) Who is in need of nursing care or more personal care than oversight and supervision.

NOTICE OF PROPOSED AMENDMENTS

- 5) A facility shall not admit more residents than the number authorized by the license issued to it.
- 6) A facility shall not refuse to discharge or transfer a resident when requested to do so by the resident or, by the resident's guardian.
- 7) No person shall be admitted with a communicable disease, including active tuberculosis.
- b) Nothing in this Part shall excuse compliance with accessibility or reasonable accommodation requirements of state or federal law.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Americans With Disabilities Act Grievance Procedure
- 2) Code Citation: 4 Ill. Adm. Code 1025
- 3) Section Number: Adopted Action:
1025.10 New Section
1025.20 New Section
1025.30 New Section
1025.40 New Section
1025.50 New Section
1025.60 New Section
1025.70 New Section
- 4) Statutory Authority: 42 U.S.C. 12131-12134.
- 5) Effective Date of the Rulemaking: June 2, 1993
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Does this Rule contain an incorporation by reference? No.
- 8) Date filed in Agency's Principal Office: June 2, 1993
- 9) Notice of Proposal published in Illinois Register: August 28, 1992 at 16 Ill. Reg. 13188.

10) Has JCAR issued a Statement of Objection to these Rules? No.

11) Difference between proposal and final version: Grammatical changes requested by JCAR have been made. In the "SOURCE:" line, "16 Ill. Reg." has been changed to "17 Ill. Reg." In Section 1025.20, "Ms. Hattie Jones." has been substituted for "can" after "Department" and "Illinois" has been substituted for "IL" in the second paragraph; in subsection 1025.40(a), "and resubmit" has been added after "if the complainant fails to complete" within the aforesaid 90 day period" has been added after "If the complainant fails to complete" and resubmit the grievance form with additional information requested and "without prejudice" has been deleted; "Recommendation" has been changed to "Recommendations" in subsection 1025.50(c); "the" has been added before "reasons" and "15 ILCS 160/1 et seq." has been added as part of the citation for the State Records Act in subsection 1025.50(d); "grievance" has been deleted in Section 1025.60. In the first sentence of Section 1025.70, "which" has been changed to "that", and "are"

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF ADOPTED RULES

changed to "is". "or not" has been deleted in the next to last sentence of the same Section.

- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.

- 13) Will this replace an emergency rule currently in effect? No.

- 14) Are there any amendments pending on this Part? No.

- 15) Summary and purpose of the rules: The rules establish a procedure whereby qualified persons with disabilities may resolve allegations of denial of public services on the basis of disability.

- 16) Information and questions regarding this Adopted Rule may be addressed to:

Gregory J. Ramel, Acting Commissioner
Illinois Department of Employment Security
401 South State Street - 2 South
Chicago, Illinois 60605
312/793-4240

The full text of the Adopted Rules begin on the next page:

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF ADOPTED RULES

TITLE 4: DISCRIMINATION PROCEDURES
Chapter XXXVIII: DEPARTMENT OF EMPLOYMENT SECURITY

PART 1025
AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE

Section	Purposes
1025.10	Definitions
1025.20	Procedure
1025.30	Designated Coordinator Level
1025.40	Final Level
1025.50	Accessibility
1025.60	Case-by-Case Resolution
1025.70	

AUTHORITY: Implementing and authorized by Title II, Subtitle A of the Americans With Disabilities Act of 1990 (42 U.S.C. 12131-12134), as specified in Title II regulations (28 CFR 35.107).

SOURCE: Adopted at 17 Ill. Reg. 8802, effective June 2, 1993.

Section 1025.10 Purposes

- a) This Part establishes an Americans With Disabilities Act Grievance Procedure pursuant to the Americans With Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) (ADA), and specifically Section 35.107 of the Title II regulations (28 CFR 35.107) requiring that a grievance procedure be established to resolve grievances asserted by qualified individuals with disabilities. Should any individual desire to review the ADA or its regulations to understand the rights, privileges and remedies afforded by it, please contact the Designated Coordinator.
- b) In general, the ADA requires that each program, service and activity offered by the Department of Employment Security (Department), when viewed in its entirety, be readily accessible to and usable by qualified individuals with disabilities.
- c) It is the intent of the Department to foster open communication with all individuals requesting ready access to programs, services and activities. The Department encourages supervisors of programs, services and activities to respond to requests for modifications before they become grievances.

DEPARTMENT OF EMPLOYMENT SECURITY

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF ADOPTED RULES

NOTICE OF ADOPTED RULES

Section 1025.20 Definitions

Section 1025.30 Procedure

"Complainant" is an individual with a disability who files a grievance form provided by the Department in accordance with this Part.

"Designated Coordinator" is the person appointed by the Department Director to coordinate the Department's efforts to comply with and carry out its responsibilities under Title II of the ADA, including investigation of grievances filed by complainants. The Designated Coordinator for the Department may be contacted at 401 South State Street, Chicago, Illinois 60605 or by telephone at 312-793-9290 (voice); 312-793-9350 (TDD).

"Director", wherever used herein, means the Director of the Illinois Department of Employment Security or the Director's Designee.

"Disability" means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such impairment; or being regarded as having such an impairment.

"Grievance" is any complaint under the ADA by an individual with a disability who meets the essential eligibility requirements for participation in or receipt of the benefits of a program, activity or service offered by the Department, and who believes he or she has been excluded from participation in or denied the benefits of any program, service or activity of the Department, or has been subject to discrimination by the Department, on the basis of his or her disability.

"Qualified individual with a disability" means an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the Department.

a) Grievances shall be submitted in accordance with the procedures established in Section 1025.40 and 1025.50 of this Part, in the form and manner described, and within specified time limits. Time limits established in this procedure are in calendar days, unless otherwise stated, and may be extended by mutual agreement in writing by the complainant and the reviewer at the Designated Coordinator and Final Levels.

b) A complainant's failure to submit a grievance, or to submit or appeal it to the next level of procedure, within the specified time limits shall mean that the complainant has withdrawn the grievance or has accepted the last response given in the grievance procedure as the Department's final response.

c) The Department shall, upon being informed of an individual's desire to file a formal grievance, instruct the individual how to receive a copy of this procedure and the grievance form.

Section 1025.40 Designated Coordinator Level

a) If an individual desires to file a formal written grievance, the individual shall promptly, but no later than 180 days after the alleged discrimination, submit the grievance to the Designated Coordinator in writing on the grievance form prescribed for that purpose. The Department shall accept all complete grievance forms under this Section. If the complainant submits an incomplete grievance form, the Department shall notify the complainant and specify the additional information needed to complete the form. If the complainant fails to complete and resubmit the grievance form with the additional information requested within the aforesaid 180 day period, the Department shall close the grievance. The grievance form shall include:

- 1) the complainant's name and, if applicable, address and telephone number;
- 2) the best means and time for contacting the complainant;
- 3) the program, activity or service which was denied or the program or in which alleged discrimination occurred;
- 4) the date and nature of the alleged denial or discrimination;
- 5) the signature of the complainant.

- b) Upon request, assistance shall be provided by the Department to complete the grievance form.
- c) The Designated Coordinator or his representative shall investigate the grievance and shall make reasonable efforts to resolve it. The Designated Coordinator shall provide a written response to the complainant and to the Director of the Department within ten (10) business days after receipt of the grievance form.

Section 1025.50 Final Level

- a) If the grievance is not resolved to the satisfaction of the complainant at the Designated Coordinator Level, the complainant may submit a copy of the grievance form and Designated Coordinator's response to the Director of the Department for final review. The complainant shall submit these documents to the Director, together with a short written statement explaining the reason(s) for dissatisfaction with the Designated Coordinator's written response, within five (5) business days after receipt by the complainant of the Designated Coordinator's response. The complainant shall be afforded an opportunity to appear before the Director. The complainant shall have a right to appoint a representative to appear on his or her behalf. The Director shall review the Designated Coordinator's written response and may conduct interviews and seek advice as the Director seems appropriate.
- c) The Director shall approve, disapprove or modify the recommendations of the Designated Coordinator, shall render a decision thereon in writing within thirty (30) days, shall state the basis therefor, and shall cause a copy of the decision to be served on the parties. The Director's decision shall be final. If the Director disapproves or modifies the Designated Coordinator's recommendations, the Director shall include written reasons for such disapproval or modification.
- d) The grievance form, the Designated Coordinator's response, the statement of the reasons for dissatisfaction, and the decision of the Director shall be maintained in accordance with the State Records Act (Ill. Rev. Stat. 1991, ch. 116, par. 43.4 et seq.) [5 ILCS 160/1 et seq.] or as otherwise required by law.

Section 1025.60 Accessibility

The Department shall ensure that all stages of the procedure are readily accessible to and usable by individuals with disabilities.

Section 1025.70 Case-by-Case Resolution

Each grievance involves a unique set of factors that includes but is not limited to: the specific nature of the disability; the essential eligibility requirements, the benefits to be derived, and the nature of the service, program or activity at issue; the health and safety of others; and whether an accommodation would constitute a fundamental alteration to the program, service or activity or undue hardship on the Department. Accordingly, termination of a grievance on the Department. Accordingly, granting of relief or otherwise, shall not constitute a precedent on which any other complainants should rely.

DEPARTMENT OF EMPLOYMENT SECURITY
NOTICE OF ADOPTED AMENDMENT(S)

- 1) Heading of the Part: Employment
- 2) Code Citation: 56 Ill. Adm. Code 2732
- 3) Section Number:
2732.225 New Section
2732.227 New Section
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 48, par. 315, 316, 322, 335, 610 and 611, as amended by P.A. 87-1178, effective September 22, 1992, 820 ILCS 405/205, 405/206, 405/212, 405/225, 405/1700 and 405/1701.
- 5) Effective Date of the Amendment: June 2, 1993
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Does this Rule contain an incorporation by reference? No.
- 8) Date filed in Agency's Principal Office: June 2, 1993
- 9) Notice of Proposal published in Illinois Register: January 8, 1993 at 17 Ill. Reg. 211.

- 10) Has JCPR issued a Statement of Objection to these Rules? No.
- 11) Difference between proposal and final version: "The majority of deliveries is determined by the number of establishments where the deliveries are made, not by the number of newspapers or shopping news delivered to the establishment" was added at the end of Section 2732.227(d) and a second example was added to the subsection.
- 12) Have all the changes agreed upon by the Agency and JCPR been made as indicated in the agreement letter issued by JCPR? Yes.

- 13) Will this replace an emergency rule currently in effect? No.
- 14) Are there any amendments pending on this Part? Yes.

Section Numbers	Proposed Action	Ill. Reg. Citation
2732.230	New Section	17 Ill. Reg. 5985 (April 16, 1993)

DEPARTMENT OF EMPLOYMENT SECURITY
NOTICE OF ADOPTED AMENDMENT(S)

- 15) Summary and purpose of the rules: The first rule provides the standards used by the Department in its interpretation of whether freelance editorial or photographic work for a newspaper constitutes an exemption from the definition of employment.
The second rule provides the standards used by the Department in its interpretation of whether the delivery or distribution of newspapers to the ultimate consumer constitutes an exemption from the definition of employment.
- 16) Information and Questions regarding these Adopted Amendments may be addressed to:

Gregory J. Ramel, Acting Commissioner
Illinois Department of Employment Security
401 South State Street - 2 South
Chicago, Illinois 60605
312/793-4240

The full Text of the Adopted Amendments begin on the next page:

DEPARTMENT OF EMPLOYMENT SECURITY
NOTICE OF ADOPTED AMENDMENT (S)

TITLE 56: LABOR AND EMPLOYMENT
CHAPTER IV: DEPARTMENT OF EMPLOYMENT SECURITY
SUBCHAPTER C: RIGHTS AND DUTIES OF EMPLOYERS

PART 2732
EMPLOYMENT

SUBPART A: COVERAGE

Requirement That "Four Or More" Employees Of A Nonprofit Organization Perform Services Within This State

SUBPART B: SERVICES IN EMPLOYMENT

Section
2732.225

Section

2732.200 Section 212 Of The Act - Services In Employment
2732.203 The Effect Of Regulation By A Governmental Entity On "Direction Or Control" Under Section 212 Of The Act
2732.210 Mandatory Jury Service
2732.220 Exemption From The Definition Of Employment For Direct Sellers Of Consumer Goods
2732.225 Exemption From The Definition Of Employment For Freelance Editorial Or Photographic Work
2732.227 Exemption For The Delivery Of Distribution Of Newspaper Or Shopping News To The Ultimate Consumer

SUBPART C: DETERMINING THE EMPLOYER

2732.305 Employee Service Companies

AUTHORITY: Implementing and authorized by Sections 205, 206, 212, 225, 1700, and 1701 of the Unemployment Insurance Act (Ill. Rev. Stat. 1991, ch. 48, par. 315, 316, 322, 335, 611, 611.1, 611.2, 611.3, 611.4, 611.5, 611.6, 611.7, 611.8, 611.9, 611.10, 611.11, 611.12, 611.13, 611.14, 611.15, 611.16, 611.17, 611.18, 611.19, 611.20, 611.21, 611.22, 611.23, 611.24, 611.25, 611.26, 611.27, 611.28, 611.29, 611.30, 611.31, 611.32, 611.33, 611.34, 611.35, 611.36, 611.37, 611.38, 611.39, 611.40, 611.41, 611.42, 611.43, 611.44, 611.45, 611.46, 611.47, 611.48, 611.49, 611.50, 611.51, 611.52, 611.53, 611.54, 611.55, 611.56, 611.57, 611.58, 611.59, 611.60, 611.61, 611.62, 611.63, 611.64, 611.65, 611.66, 611.67, 611.68, 611.69, 611.70, 611.71, 611.72, 611.73, 611.74, 611.75, 611.76, 611.77, 611.78, 611.79, 611.80, 611.81, 611.82, 611.83, 611.84, 611.85, 611.86, 611.87, 611.88, 611.89, 611.90, 611.91, 611.92, 611.93, 611.94, 611.95, 611.96, 611.97, 611.98, 611.99, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

SOURCE: Adopted at 13 Ill. Reg. 8864, effective May 30, 1989; amended at 14 Ill. Reg. 673, effective January 2, 1990; amended at 15 Ill. Reg. 11423, effective July 30, 1991; amended at 16 Ill. Reg. 8173, effective May 18, 1992; amended at 16 Ill. Reg. 12159, effective July 20, 1992; amended at 17 Ill. Reg. 8809, June 2, 1993.

DEPARTMENT OF EMPLOYMENT SECURITY
NOTICE OF ADOPTED AMENDMENT (S)

Section 2732.225

Exemption From The Definition Of Employment For Freelance Editorial Or Photographic Work

a) For the purpose of applying Section 225(B) of the Act (Ill. Rev. Stat. 1991, ch. 48, par. 335(B), as amended by P.A. 87-1178, effective September 22, 1992) [820 ILCS 405/225(B)], as amended by P.A. 87-1178], the following terms have the meanings set forth below.

1) "Freelance" means that an individual has a right to make his services available to the general public on an ongoing basis as distinguished from being required to perform services exclusively for one individual or entity.

Example: Newspaper A needs a photographer to provide pictures of a presidential visit to the State Fair. The newspaper contracts with a Springfield photographer who regularly contracts with Newspaper A and other newspapers for specific assignments. This photographer is providing freelance services to this newspaper.

Example: Newspaper A contacts a former tennis pro turned sports writer to cover the U.S. Open tennis tournament. The assignment is for a three week period. Newspaper A allows the sports writer to take on assignments from other sources provided they do not interfere with his coverage of the Open. This writer is providing freelance services to this newspaper.

2) "Editorial" means work pertaining to the literary or artistic activities or contents of a newspaper as distinguished from the newspaper's business and advertising activities.

Example: Professor A is a world authority on economic theory. Newspaper B hires Professor A to write a column which explains why the President must adopt economic theory. C is part of his reelection strategy. Professor A is performing editorial work for the newspaper.

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF ADOPTED AMENDMENT(S)

Example: Newspaper A wishes to print a story about a local fair. It hires a resident of the local area to write a column about the fair. The writer of this story is performing editorial work for the newspaper.

Example: Newspaper A is considering raising its advertising rates. Therefore, it hires a consultant to examine all local media advertising rates and recommend a course of action. This consultant is not performing editorial services for the newspaper.

- b) The application of Section 225(B) is limited to services performed for a newspaper. Freelance editorial or photographic services performed for a magazine do not fall within this exception.

- c) Section 225(B) of the Act shall apply only to services performed on or after September 22, 1992.

(Source: Added at 17 Ill. Reg. 8809, effective June 2, 1993)

Section 2732.227

Exemption For The Delivery Or Distribution Of Newspaper Or Shopping News To The Ultimate Consumer

- a) For the purpose of applying Section 225(C) of the Act (Ill. Rev. Stat. 1991, ch. 48, par. 335(C), as amended by P.A. 87-1178, effective September 22, 1992) [820 ILCS 405/225(C)], as amended by P.A. 87-1178]:

- 1) The "substantially all the remuneration" requirement is satisfied if at least 75 per cent of the total remuneration received by the individual for the calendar quarter from the employing unit claiming the exemption is directly related to sales, "per piece" fees or other output rather than to the number of hours worked. A "base fee" or other payment provided as a reasonable reimbursement for mileage and other expenses will not be included in calculating whether the requirement is met.

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF ADOPTED AMENDMENT(S)

Example: An individual's compensation consists of \$.05 for each newspaper that he delivers and a base fee of \$50.00 per week. The individual's weekly mileage expense is approximately \$25.00 and his other expenses total approximately \$10.00. The base fee is a reasonable reimbursement for mileage and other expenses. Therefore, since the base fee is not considered, regardless of the number of newspapers delivered, 100 per cent, therefore, "substantially all" of the individual's remuneration is directly related to output.

Example: An individual's compensation consists of \$.05 for each newspaper that he delivers and a flat fee of \$100.00 per week. The individual's weekly mileage expense is approximately \$20.00 and his other expenses total approximately \$7.00. The fee is not a reasonable reimbursement for mileage and other expenses. The difference between the fee and the actual expenses is included in determining whether the "substantially all the remuneration" requirement is met. The individual's output based remuneration would have to be at least 75% of the individual's total pay for the exemption to apply.

- 2) The "written contract" requirement is not met unless the contract specifically states that the individual will not be treated as an employee for Federal tax purposes. It will not be sufficient for the contract to merely state that the individual will not be treated as an employee. Any remuneration provided prior to the date of the execution of the required written contract shall not be exempt under Section 225(C) of the Act; whether these services constituted employment under the Act shall be determined under Section 212 of the Act.

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF ADOPTED AMENDMENT(S)

- 3) Delivery or distribution to the "ultimate consumer" does not include the delivery or distribution for sale or resale, including but not limited to, distribution to a newsrack or newsbox, salesperson, newsstand or retail establishment. Delivery or distribution to the "ultimate consumer" does not include the distribution for further distribution regardless of subsequent sale or resale.

Example: Delivery of a single newspaper to a restaurant owner who allows his customers to read the paper is delivery to the ultimate consumer.

Example: Delivery of several copies of a newspaper to a restaurant which provides a complimentary morning newspaper for its customers is not delivery to the ultimate consumer.

- b) Section 225(C) of the Act shall apply only to services performed on or after September 22, 1992.
- c) Section 225(C) of the Act shall apply to a "delivery agent" who delivers the newspaper or shopping news to the ultimate consumer through one or more agents or carriers.

Example: Newspaper A contracts with an individual to deliver its newspapers in a specified area. This individual hires several adult motor route carriers to actually deliver the newspaper. Section 225(C) applies to both the individual and the adult motor route carriers because they are delivering newspapers to the ultimate consumer.

- d) For Section 225(C) of the Act to apply, the majority (more than 50%) of the individual's deliveries of the newspaper or shopping news must be to the ultimate consumer. The majority of deliveries is determined by the number of establishments where deliveries are made, not by the number of newspapers or shopping news delivered to the establishment.

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF ADOPTED AMENDMENT(S)

Example: An individual has a large newspaper distribution route. On this route, 40% of his deliveries are to homes or apartments. The remaining 60% are delivered to stores, restaurants, newsstands and other retail establishments for retail sale. Section 225(C) does not apply to this individual.

Example: An individual delivers newspapers to twenty single family homes and to one drugstore. Each home receives one newspaper while fifty newspapers are delivered to the drugstore for resale. Because the number of establishments not the number of newspapers determines the majority of deliveries, the individual makes the majority of his deliveries to the ultimate consumer.

(Source: Added at 17 Ill. Reg. 8809, effective June 2, 1993)

HEARING AID CONSUMER PROTECTION BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) **The Heading of the Part:**
Hearing Aid Protection Continuing Education Requirements
- 2) **Code Citation:**
77 Ill. Adm. Code 3000
- 3) **Section Numbers:** Adopted Action:

3000.200	Amendment
3000.210	Amendment
3000.230	Amendment
3000.Appendix A	Repeal
3000.Appendix B	Repeal
- 4) **Statutory Authority:**
The Hearing Aid Consumer Protection Act
(Ill. Rev. Stat. 1991, ch. 111, par. 7401 et seq.)
- 5) **Effective Date of Amendments:** June 10, 1993
- 6) **Does this Rulemaking Contain an Automatic Repeal Date?** No
- 7) **Does this Rulemaking Contain any Incorporations by Reference?** No
- 8) **Date Filed in Agency's Principal Office:** June 10, 1993
- 9) **Date Notice of Proposed Amendments was Published in the Illinois Register:**
16 Ill. Reg. 13463 - September 4, 1992
- 10) **Has the Joint Committee on Administrative Rules Issued a Statement of Objection to this Rulemaking?** No
 If Yes, Date Agency Response Submitted for Approval to ICAR:
 Date Statement of Objection was Published in the Illinois Register:
 Difference Between Proposal and Final Version:
 None

ILLINOIS REGISTER

HEARING AID CONSUMER PROTECTION BOARD

NOTICE OF ADOPTED AMENDMENTS

- 12) **Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee?**
No changes were agreed upon by the Department and the Joint Committee on Administrative Rules.
- 13) **Will the Amendments Replace an Emergency Rule Currently in Effect?** No
- 14) **Are there any other Amendments Pending on this Part?** No
- 15) **Summary and Purpose of Amendments:**
The Illinois Hearing Aid Consumer Protection Act requires the Department to develop and administer a hearing aid consumer protection program to protect the hearing impaired from incompetent and dishonest dispensers of hearing aids. This rulemaking allows the Hearing Aid Consumer Protection Board to designate additional subject areas for continuing education courses that are approved for hearing aid dispensers. The rulemaking requires from dispensers, as verification of continuing education units earned, copies of transcripts or certificates of completion from continuing education courses approved by the American Speech-Language-Hearing Association (ASHA) or the National Hearing Aid Society (NHAS).
The rulemaking specifies that the Department will request direct confirmation from ASHA or NHAS of continuing education credit earned, if questions arise as to the authenticity of submitted copies. In addition, the rulemaking deletes from Part 3000, the course sponsor application form and the continuing education participant's registry card. These forms will continue to be used by the Department, but will no longer be part of the rules.
- 16) **Information and Questions Regarding this Adopted rulemaking shall be directed to:**
Ms. Gail M. DeVito, Division of Governmental Affairs, Illinois Department of Public Health, 535 West Jefferson, Fifth Floor, Springfield, Illinois 62761 (217)82-6187.

The full text of the Adopted Amendments begins on the next page:

HEARING AID CONSUMER PROTECTION BOARD

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 77: PUBLIC HEALTH
CHAPTER XIV: HEARING AID CONSUMER PROTECTION BOARDPART 3000
HEARING AID CONSUMER PROTECTION CONTINUING EDUCATION REQUIREMENTS

Section 1000

- Definitions
- 3000.100 Approved Continuing Education Courses
- 3000.200 Responsibilities of Course Sponsors
- 3000.210 Board
- 3000.220 Dispenser Responsibilities
- 3000.230 Course Sponsor Application Form (Repealed)
- APPENDIX A Participant's Registry Card (Repealed)
- APPENDIX B

AUTHORITY: Implementing and authorized by the Hearing Aid Consumer Protection Act (Ill. Rev. Stat. 1991, ch. 111, par. 7401 et seq., in particular par. 7411/).

SOURCE: Adopted at 12 Ill. Reg. 4707, effective February 22, 1988; amended at 14 Ill. Reg. 10317, effective June 16, 1990; amended at 17 Ill. Reg. 8817, effective June 10, 1993.

Section 3000.200 Approved Continuing Education Courses

- a) Continuing education courses shall be offered in the following areas: acoustics; nature of the ear (normal ear, hearing process; disorders of hearing); hearing measurement; hearing aid technology; selection of hearing aids; federal and state laws/regulations regarding dispensing of hearing aids and ethical practices; or other areas deemed appropriate by the Board.
- b) Only Continuing Education Units approved by the Department, the American Speech-Language-Hearing Association (ASHA) or the National Hearing Aid Society (NIHAS) shall be applied towards meeting the minimum requirements set forth in Section 3000.230. Sponsors other than ASHA and NIAS shall send the Department the following material prior to a course being offered when the Department approves the continuing education courses: the procedures and criteria used to approve Continuing Education courses, a roster of the approved courses containing the name of the instructor(s), the location of the course, and the number of CEU's or contact hours assigned to the course.
- c) Only Continuing Education Units completed subsequent to the effective date of this rule shall be applied to the minimum requirements as set forth in Section 3000.230 of this Act Part.

(Source: Amended at 17 Ill. Reg. 8817, effective June 10, 1993.)

Section 3000.210 Responsibilities of Course Sponsors

NOTICE OF ADOPTED AMENDMENT(S)

HEARING AID CONSUMER PROTECTION BOARD

- a) A course sponsor shall be responsible for obtaining prior approval from the Department, the ASHA or the NIAS, for continuing education courses.
- b) The course sponsor, or an individual applying for a course sponsor, shall forward a completed application package to the Department. The completed package shall consist of the following materials:

- 1) The Course Sponsor Application Form (See--Appendix--A) shall contain the following: the course sponsor's name, address and phone number; the title of the CEU course, the number of CEUs to be awarded, and the date the course will be given; the name of the instructor(s); the location of the course(s); and the Track designation (Beginning, Intermediate Advanced, or Critical issues);
 - 2) The educational objective(s) of the course typed and double spaced;
 - 3) The course description, which shall be typed, double spaced and not exceed 600 words in length;
 - 4) The course agenda, which shall include the amount of time required to meet the course objectives; specific times shall be provided for lectures, discussions, introductions, breaks, and lunches. Instructing teachers and students shall not be applied toward calculating contact hours on CEU's.
 - 5) The course sponsor's evaluation form to be completed by the participants; and
 - 6) All course instructor(s) vitae containing experiential and educational background.
- c) The course sponsor shall sign and date the Course Sponsor Application form.
- d) The course sponsor shall anticipate a 60 day review process. Following approval of a course, the course sponsor shall notify the Department of any changes in the course content or instructors prior to the course offering. Upon such notification, the Board will review the changes in course content or instructors in accordance with Section 3000.220.
- e) Sponsors of continuing education courses shall provide such information as may be required by rule and shall pay a fee of \$150 per course. (Section 15 of the Act)
- f) Courses certified or approved for continuing education by the National Hearing Aid Society or the American Speech-Language-Hearing Association shall be exempt from such fee and compliance with such course filing requirements as specified by rule. (Section 15 of the Act)
- (Source: Amended at 17 Ill. Reg. 8817, effective June 10, 1993.)
- Section 3000.230 Dispenser Responsibilities
- a) For Department approved courses, the dispenser shall obtain a

HEARING AID CONSUMER PROTECTION BOARD

NOTICE OF ADOPTED AMENDMENT(S)

Participant's Registry Card (See Appendix-B) from the Department. The Participant Registry Card shall be completed by the dispenser, signed by the course instructor, and sent to the Department. The Participant Registry Card consists of the participant's name, certificate identification number, name of business, business address, course name, date, site, participant's signature, and the instructor's signature.

- b) As verification of CEUs earned, the Department will accept (from dispensers) copies of transcripts or certificates of completion from continuing education courses approved by ASHA or NHAAS. The Department shall request direct confirmation from ASHA or NHAAS of continuing education earned if questions arise as to the authenticity of submitted copies. For ASHA-approved courses, the dispenser shall have a transcript of the CEU sent directly to the Department by ASHA; for NHAAS-approved courses, the dispenser shall have an official certificate of completion forwarded to the Department by NHAAS.
- c) A minimum of 2.0 CEUs shall be obtained by dispensers in order to have the certificate license renewed every two years.
- d) Thirty days prior to a license expiration date, the dispenser shall verify, via the procedures set forth in subsection subsections (a), (b) or (c) above, the total number of CEUs obtained subsequent to license renewal.
- f) The dispenser shall obtain the required CEUs before the license is renewed.
- g) CEUs shall not be applied to the dispenser's license renewal for the same course more than once between license renewals.

(Source: Amended at 17 Ill. Reg. 8817, effective June 10, 1993.)

HEARING AID CONSUMER PROTECTION BOARD

NOTICE OF ADOPTED AMENDMENT(S)

Section 3000 APPENDIX A Course Sponsor Application Form (Repealed)

ILLINOIS DEPARTMENT OF PUBLIC HEALTH
HEARING AID CONSUMER PROTECTION PROGRAM
CONTINUING EDUCATION

COURSE SPONSOR APPLICATION FORM

Please complete this application in typewritten form. Where space is insufficient, answers to questions may be continued on additional pages. Retain one copy for your files and return the original and five copies to: Board Hearing Aid Consumer Protection Program, Illinois Department of Public Health, 425 West Jefferson, Springfield, Illinois 62761.

- (1) Sponsor: _____
- (2) Street Address: _____
- (3) City: _____ State: _____ Zip: _____
- (4) Telephone: (_____) Area Code: _____ Number: _____
- (5) Continuing Education Course Title: _____
- (6) Number of Contact Hours: _____
- (7) Contact Hour - 50 minutes of instruction _____
- (8) Course Dates: _____
- (9) Course Location: _____
- (10) Course Location: _____
- (11) Course Location: _____
- (12) Course Location: _____
- (13) Course Location: _____
- (14) Course Location: _____
- (15) Course Location: _____
- (16) Course Location: _____
- (17) Course Location: _____
- (18) Course Location: _____
- (19) Course Location: _____
- (20) Course Location: _____
- (21) Course Location: _____
- (22) Course Location: _____
- (23) Course Location: _____
- (24) Course Location: _____
- (25) Course Location: _____
- (26) Course Location: _____
- (27) Course Location: _____
- (28) Course Location: _____
- (29) Course Location: _____
- (30) Course Location: _____
- (31) Course Location: _____
- (32) Course Location: _____
- (33) Course Location: _____
- (34) Course Location: _____
- (35) Course Location: _____
- (36) Course Location: _____
- (37) Course Location: _____
- (38) Course Location: _____
- (39) Course Location: _____
- (40) Course Location: _____
- (41) Course Location: _____
- (42) Course Location: _____
- (43) Course Location: _____
- (44) Course Location: _____
- (45) Course Location: _____
- (46) Course Location: _____
- (47) Course Location: _____
- (48) Course Location: _____
- (49) Course Location: _____
- (50) Course Location: _____
- (51) Course Location: _____
- (52) Course Location: _____
- (53) Course Location: _____
- (54) Course Location: _____
- (55) Course Location: _____
- (56) Course Location: _____
- (57) Course Location: _____
- (58) Course Location: _____
- (59) Course Location: _____
- (60) Course Location: _____
- (61) Course Location: _____
- (62) Course Location: _____
- (63) Course Location: _____
- (64) Course Location: _____
- (65) Course Location: _____
- (66) Course Location: _____
- (67) Course Location: _____
- (68) Course Location: _____
- (69) Course Location: _____
- (70) Course Location: _____
- (71) Course Location: _____
- (72) Course Location: _____
- (73) Course Location: _____
- (74) Course Location: _____
- (75) Course Location: _____
- (76) Course Location: _____
- (77) Course Location: _____
- (78) Course Location: _____
- (79) Course Location: _____
- (80) Course Location: _____
- (81) Course Location: _____
- (82) Course Location: _____
- (83) Course Location: _____
- (84) Course Location: _____
- (85) Course Location: _____
- (86) Course Location: _____
- (87) Course Location: _____
- (88) Course Location: _____
- (89) Course Location: _____
- (90) Course Location: _____
- (91) Course Location: _____
- (92) Course Location: _____
- (93) Course Location: _____
- (94) Course Location: _____
- (95) Course Location: _____
- (96) Course Location: _____
- (97) Course Location: _____
- (98) Course Location: _____
- (99) Course Location: _____
- (100) Course Location: _____

(11) Course Level Designation:
Beginning _____ Advanced _____
Intermediate _____ Critical Issue _____

(12) Attach the following in a typewritten double spaced form: _____

HEARING AID CONSUMER PROTECTION BOARD

NOTICE OF ADOPTED AMENDMENT(S)

- A.--Course educational objectives;
 B.--Course description (not exceeding 600 words);
 C.--Course agenda;
 D.--Participants evaluation method;
 E.--Instructor(s) vitae(s);

I hereby certify that the information provided has met all the requirements set forth by the Board; I fully understand and conscious misrepresentation of the information provided will constitute disqualification by the Board;
 I fully understand that I must provide the Board with the follow-up materials which document participant attendance, registry fee, course evaluation and a summary of participant evaluation results.

Course Sponsor Signature: _____ Date: _____
 (Source: Repealed at 17 Ill. Reg. 8817, effective June 10, 1993.)

HEARING AID CONSUMER PROTECTION BOARD

NOTICE OF ADOPTED AMENDMENT(S)

SECTION 1000 APPENDIX B Participant's Registry Card (Repealed)

HEARING AID CONSUMER PROTECTION PROGRAM CONTINUING EDUCATION

PARTICIPANT'S REGISTRY CARD
(Please print)

PARTICIPANT'S NAME: _____
 (last, first and initial)

LICENSE ID #: _____

NAME OF BUSINESS: _____

BUSINESS ADDRESS: _____

City State Zip

COURSE NAME: _____

COURSE START DATE: _____

I hereby certify that I have attended the entire program of instruction for which continuing education hours are being awarded.

I fully understand that misrepresentation of continuing education attendance is a violation of the Hearing Aid Consumer Protection Act

The number of Continuing Education Units awarded: _____

Return this card to the course instructor. Failure to comply will result in your not receiving the above CEU award.

Participant's Signature: _____ Date: _____

Instructor's Signature: _____ Date: _____

(Source: Repealed at 17 Ill. Reg. 8817, effective June 10, 1993.)

ILLINOIS REGISTER
DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part:

Hearing Aid Consumer Protection Code

2) Code Citation:

77 Ill. Adm. Code 682

3) Action Numbers:

Adopted Action:

Amendment 682.100
Amendment 682.130
Amendment 682.140
Amendment 682.150
Amendment 682.170
Amendment 682.195
Amendment 682.200
Amendment 682.210
Amendment 682.215
Amendment 682.230
Amendment 682.250
Amendment 682.260
Amendment 682.320
Amendment 682.410
Amendment 682.420
Amendment 682.440
Amendment 682.450
Repeal 682. Appendix A
Repeal 682. Appendix B
Repeal 682. Appendix C
Repeal 682. Appendix D
Repeal 682. Appendix E
Repeal 682. Appendix F
Repeal 682. Appendix G
Repeal 682. Appendix H
Repeal 682. Appendix I
Repeal 682. Appendix J

4) Statutory Authority:

Hearing Aid Consumer Protection Act
Ill. Rev. Stat. 1989, ch. 111, par. 7401 et seq., as amended by Public Act 87-603, effective January 1, 1992.

ILLINOIS REGISTER
DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

5) Effective Date of Rules:

June 10, 1993

6) Does this Rulemaking Contain an Automatic Repeal Date? Yes ___ No X ___

If "yes," please specify date:

7) Does this Rulemaking Contain Any Incorporations by Reference? Yes ___ No X ___

If "yes," please specify type: 6.02(a) ___ or 6.02(b) ___

If "6.02(b)" was a copy of the approval form issued by the Joint Committee attached to this rulemaking? Yes ___ No ___

8) Date Filed in Agency's Principal Office: June 10, 19939) Date Notice(s) of Proposal was Published in Illinois Register:

September 4, 1992 - 16 Ill. Reg. 13428

10) Has the Joint Committee on Administrative Rules Issued a Statement of Objections to this/these Rules? Yes ___ No X ___

If "yes," please complete the following:

A) Statement of Objection: ___ Ill. Reg. ___B) Agency Response: ___ Ill. Reg. ___C) Date Agency Response Submitted for Approval to the Joint Committee:11) Difference Between Proposal and Final Version:

The following changes were made in response to comments received during the first notice or public comment period:

Section 682.215(c) has been revised to read as follows: Until such time when the student has obtained a temporary license (6 months) or license (2 years), dispensing of hearing aids is limited to sites or programs affiliated with, or operated under, the auspices and approval of the program of audiology in the college or university in which the student is enrolled.

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER J: VISION AND HEARING

PART 682
HEARING AID CONSUMER PROTECTION CODE
SUBPART A: GENERAL PROVISIONS

Section	Definitions
682.100	Incorporated Materials
682.105	Information which shall be Given to Hearing Aid Users
682.110	Description of Hearing Aids
682.120	Consumer Complaint Notification Cards
682.130	Consumer Records
682.140	Information to be Submitted by A Corporation, Partnership, Trust, Association or Other Entity
682.150	Inspections
682.160	Audiometer Calibrations
682.170	Mail Order Sales
682.180	Liability Insurance
682.190	Required Forms
682.195	

SUBPART B: HEARING AID DISPENSER LICENSE

Section	Application Procedures for Temporary-Hearing-Aid-Dispenser License
682.200	Issuance of a Temporary License
682.210	Supervision of Students
682.215	Duplication of a License
682.220	Place of Business
682.230	Display of License
682.240	Expiration of Licenses and License Renewals
682.250	Inactive Status Request
682.260	

SUBPART C: TEST PROCEDURES FOR DISPENSING HEARING AIDS

Section	Established Test Procedures
682.300	Period of Time Tests Are Valid
682.310	Tests Performed by Others
682.320	Persons Eligible to Test and Recommend
682.330	Persons Eligible to Test and Recommend
682.340	Automatic Tests for Children, Developmentally Delayed Persons and Physically

The following changes were made in response to comments and suggestions of the Joint Committee on Administrative Rules:

The first sentence of Section 682.215(d) has been revised to read: "A primary supervisor shall not supervise more than five students at one time."

In addition, various typographical, grammatical and form changes were made in response to the comments from the Administrative Code Division and the Joint Committee on Administrative Rules.

12) Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee?

The Department has made all the changes to which it agreed with the Joint Committee.

13) Will the Rules Replace an Emergency Rule Currently in Effect?

Yes No X

14) Are there any other Amendments Pending on this Part? Yes No X

If yes:

Section Numbers	Proposed Action	Ill. Reg. Citation
-----------------	-----------------	--------------------

15) Summary and Purpose of Rules:

The Illinois Hearing Aid Consumer Protection Act protects the hearing impaired public from incompetent and dishonest hearing aid dispensers who could endanger the health, safety and welfare of the people of Illinois. This rulemaking requires successful completion of the written or practical exam prior to receiving a temporary license. Furthermore, the rulemaking provides for the supervision of nonlicensed audiology students; requires the Department to offer the licensing examination at least once every other month; reduces from one year to six months the time period that a temporary license would be valid; and provides for a \$50.00 increase in the practical exam fee. In addition, several forms are being deleted as appendices to this Part. These forms will continue to be used and may be obtained from the Department.

16) Information and Questions regarding this Adopted Rulemaking shall be directed to:

Gail M. DeVito, Division of Governmental Affairs, Department of Public Health, 535 West Jefferson, Fifth Floor, Springfield, Illinois 62761, 217/782-6187.

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

Disabled Persons
Audiometric Tests for Replacement Hearing Aid
Equipment Needed

682.350
682.360

SUBPART D: HEARING AID DISPENSER EXAMINATION

Administration of the Examination
Identification Needed to Take the Examination
Examination: Written and Practical
Notification of Examination Results
Temporary License Expiration Prior to Examination
Examination Due Process

Section
682.400
682.410
682.420
682.430
682.440
682.450

SUBPART E: ETHICAL PRACTICE

Dishonest, Unethical and Unprofessional Conduct
Advertising or Promotion

Section
682.500
682.510

SUBPART F: DISCIPLINARY ACTIONS

Administrative Hearings
Disciplinary Action
Restoration of Revoked or Suspended Licenses

Section
682.600
682.610
682.620

SUBPART G: CONTINUING EDUCATION

Continuing Education

Section
682.700

Application Form (Repealed)
Supervision and Training Agreement Form (Repealed)
License Authorization Form (Repealed)
Certificate of Insurance (Repealed)
Surety Bond (Repealed)
Inactive Status Request (Repealed)
Registration of Hearing Aid Dispensers Employed by a Hearing Aid Corporation,
Partnership, Trust, Association or Entity (Repealed)
License Renewal Form (Repealed)
Audiometer Calibration Form (Repealed)
License Correction Form (Repealed)

682-Appendix A
682-Appendix B
682-Appendix C
682-Appendix D
682-Appendix E
682-Appendix F
682-Appendix G
682-Appendix H
682-Appendix I
682-Appendix J

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

AUTHORITY: Implementing and authorized by the Hearing Aid Consumer Protection Act (Ill. Rev. Stat. 1991, ch. 111, par. 740) et seq.

SOURCE: Adopted at 11 Ill. Reg. 7690, effective April 15, 1987; amended at 12 Ill. Reg. 4720, effective February 22, 1988; amended at 14 Ill. Reg. 10447, effective June 18, 1990; amended at 17 Ill. Reg. 8825, effective June 10, 1993

NOTE: Capitalization denotes statutory language.

SUBPART A: GENERAL PROVISIONS

Section 682.100 Definitions

"Abuse" means any physical or mental injury or sexual assault, inflicted on a consumer other than by accidental means.

"Act" means The Hearing Aid Consumer Protection Act (Ill. Rev. Stat. 1991)87, ch. 111, par. 7401 et seq.)

"Advertisement" means any printed or spoken information, which is provided to the public group, pursuant to the practice of fitting, dispensing or servicing hearing aids or by person(s) engaged in these activities.

"Audiometric Tests" means any test, utilizing calibrated audiometric equipment, to determine the status of the hearing system.

"BOARD" means THE HEARING AID CONSUMER PROTECTION BOARD.
(Section 3(h) of the Act)

"BOARD CERTIFIED HEARING INSTRUMENT SPECIALIST" MEANS A PERSON WHO HAS HAD AT LEAST 2 YEARS IN PRACTICE AS A HEARING AID DISPENSER AND HAS BEEN CERTIFIED AFTER QUALIFICATION BY EXAMINATION BY THE NATIONAL BOARD FOR CERTIFICATION IN HEARING INSTRUMENTS SCIENCES. (Section 3 of the Act)

"CLINICAL AUDIOLOGIST" MEANS A PERSON WITH A MINIMUM OF A MASTERS DEGREE FROM AN ACCREDITED INSTITUTION WHO HAS COMPLETED A MINIMUM OF 24 SEMESTER HOURS (36 QUARTER HOURS) OF GRADUATE LEVEL COURSE WORK IN AN AUDIOLOGY CURRICULUM WHO HOLDS A CERTIFICATE OF CLINICAL COMPETENCE IN AUDIOLOGY FROM THE AMERICAN SPEECH-LANGUAGE-HEARING ASSOCIATION OR A PERSON WHO HAS COMPLETED 24 SEMESTER HOURS (36 QUARTER HOURS) OF GRADUATE LEVEL COURSE WORK, AT AN ACCREDITED INSTITUTION, BEYOND A BACHELORS DEGREE WHICH MEETS THE ACADEMIC AND

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

PRACTICUM REQUIREMENTS FOR THE AWARD OF A CERTIFICATE OF CLINICAL COMPETENCE IN AUDIOLOGY FROM THE AMERICAN SPEECH-LANGUAGE-HEARING ASSOCIATION. (Section 3 of the Act)

"Cost" means any expense resulting from activities mandated by the Hearing Aid Consumer Protection Act or this Part.

"Decibel" means a numerical expression of the relative intensity of a sound.

"DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH. (Section 3(a) of the Act)

"DIRECTOR" MEANS THE DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH. (Section 3(b) of the Act)

"ENTITY" means a person or group of persons engaged in dispensing activities. (Section 3 of the Act)

"FUND" MEANS THE HEARING AID DISPENSER EXAMINING AND DISCIPLINARY FUND. (Section 3 of the Act)

"HEARING AID" MEANS ANY INSTRUMENT OR DEVICE DESIGNED, INTENDED OR OFFERED FOR THE PURPOSE OF EFFECTIVELY COMPENSATING FOR IMPAIRED HUMAN HEARING AND ANY PARTS, ATTACHMENTS OR ACCESSORIES, INCLUDING EAR MOLD, HOWEVER, BATTERIES, CORDS AND INDIVIDUAL OR GROUP AUDITORY TRAINING DEVICES AND ANY INSTRUMENT OR DEVICE USED BY A PUBLIC UTILITY IN PROVIDING TELEPHONE OR OTHER COMMUNICATION SERVICES ARE EXCLUDED. (Section 3(f) of the Act)

"HEARING AID DISPENSER" MEANS A PERSON WHO ENGAGES IN THE SELLING, PRACTICE OF FITTING, DISPENSING OR SERVING OF HEARING AIDS OR WHO ADVERTISES OR DISPLAYS A SIGN OR REPRESENTS HIMSELF AS A PERSON WHO PRACTICES THE FITTING, SERVICING, DISPENSING OR SELLING OF HEARING AIDS. (Section 3 of the Act)

"HEARING INSTRUMENT SPECIALIST" MEANS A PERSON DESIGNATED AFTER QUALIFICATION BY EXPERIENCE AND APPLICATION TO THE NATIONAL HEARING AID SOCIETY. (Section 3 of the Act)

"Liability Insurance" means malpractice insurance in the minimum amount of \$200,000.

"LICENSE" MEANS A LICENSE ISSUED BY THE STATE UNDER THIS ACT TO A HEARING AID DISPENSER. (Section 3 of the Act)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

"Licensed Dispenser" means a dispenser who has passed both the written and practical portions of the Department's Hearing Aid Dispenser Examination and has paid the appropriate fees for the license.

"LICENSED PHYSICIAN" MEANS A PHYSICIAN LICENSED TO PRACTICE MEDICINE IN ALL OF ITS BRANCHES. (Section 3(g) of the Act)

"Masking" means the process by which a second sound stimulus is introduced to the nontest ear to isolate the response of the test ear from that of the nontest ear.

"Medical Evaluation" means A WRITTEN STATEMENT, SIGNED BY A LICENSED PHYSICIAN, licensed to practice medicine in all of its branches by the Department of Professional Regulation pursuant to the Medical Practice Act; (Ill. Rev. Stat. 1997, ch. 111, par. 4401-4478), WHICH STATES THAT THE PATIENT'S HEARING LOSS HAS BEEN MEDICALLY EVALUATED AND THE PATIENT MAY BE CONSIDERED A CANDIDATE FOR A HEARING AID, AND WHICH MUST HAVE TAKEN PLACE WITHIN 6 MONTHS IMMEDIATELY PRECEDING THE TIME THE WRITTEN STATEMENT IS PRESENTED BY THE PROSPECTIVE HEARING AID USER TO THE HEARING AID DISPENSER. (Section 4 of the Act)

"Most Comfortable Loudness" (MCL) means a level at which sound is most comfortable for the client, that is loudness of sound sufficient and adequate to be easily heard by the listener without the sound being painful or having disturbing features.

"Observer(s)" means a Licensed Dispenser(s) who observes temporary licensees or observes students engaged in dispensing activities described in Sections 682.210(d)(2) and 682.215(f).

"Place of Business" means a location where hearing aids are exhibited or the services are offered for sale or lease on a continuing basis; where the hearing aid purchaser can have personal contact and counsel with the hearing aid dispenser and obtain service during the firm's business hours; where the dispenser maintains a depository of all client records; where the licensee normally conducts business; and is the address given for the purpose of retail sales tax to the Illinois Department of Revenue.

"PRACTICE OF FITTING, DISPENSING OR SERVING OF HEARING AIDS" MEANS THE SELECTION, ADAPTATION, SALE OR SERVICE OF HEARING AIDS AND INCLUDES THE TESTING OF HEARING BY MEANS OF AN AUDIOMETER PROPERLY CALIBRATED TO AMERICAN NATIONAL STANDARD INSTITUTE STANDARDS. (Section 3(f) of the Act)

"Primary Supervisor" means the name of the Licensed Dispenser who has completed and signed the Supervision and Training Agreement Form which appears on the license and the application and who is RESPONSIBLE FOR THE SUPERVISION AND TRAINING

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

OF a Temporary Licensee. (Section 11 of the Act)

"Running Speech" means unemotional connected discourse (speech) which is void of words or phrases which would arouse strong feelings (emotional) in the listener).

"SELL" OR "SALE" MEANS ANY TRANSFER OF TITLE OR OF THE RIGHT TO USE BY LEASE, BAILEMENT, OR ANY OTHER CONTRACT, EXCLUDING WHOLESALE TRANSACTIONS WITH DISTRIBUTORS OR DEALERS. (Section 3(k) of the Act)

"Speech Reception Threshold" means the lowest hearing level in decibels at which the client can respond correctly to at least 50% of the two-syllable words (spontaneous words) presented via recording or live voice.

"Spondaic Words" means words containing two syllables which are pronounced with equal emphasis.

"Student" means any nonlicensed individual involved in dispensing activities who is enrolled full-time in a graduate PROGRAM OF AUDIOLOGY IN AN ACCREDITED COLLEGE OR UNIVERSITY. (Section II of the Act)

"TEMPORARY LICENSE" MEANS A LICENSE ISSUED WHILE THE APPLICANT IS IN TRAINING OR IS QUALIFYING TO BECOME A LICENSED HEARING AID DISPENSER, has passed the written or practical exam, and has paid the appropriate fees for the license. (Section 3(d) of the Act)

"Uncomfortable Loudness Level" (UCL) means the level at which the client indicates that sound is uncomfortably loud.

(Source: Amended at 17 Ill. Reg. 8825, effective June 10, 1993)

Section 682.130 Consumer Complaint Notification Cards

A consumer complaint notification form and poster, provided by the Department of Public Health, shall be utilized as specified in Section 4 paragraph 7404 of the Act. The poster shall always be displayed wherever hearing aids are dispensed except for "in home" sales.

(Source: Amended at 17 Ill. Reg. 8825, effective June 10, 1993)

Section 682.140 Consumer Records

Required consumer records for hearing aid dispensers shall be copies of medical evaluations, medical waivers, contracts or receipts, and audiometric test results (audiograms).

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

a) The full name of the dispenser, his license ID # and the date of the test shall be recorded on the audiogram.

b) When a hearing aid is sold, as defined in Section 3 of the Act, the hearing aid dispenser shall retain copies of all records that are set forth in this Section shall be retained at the place of business shown on the contract 682.140 of this Part for a minimum of 36 months. (21 CFR 801.42(d) and Section 4 of the Act)

(Source: Amended at 17 Ill. Reg. 8825, effective June 10, 1993)

Section 682.150 Information to be Submitted by a Corporation, Partnership, Trust, Association or Other Entity

EACH CORPORATION, PARTNERSHIP, TRUST, ASSOCIATION OR OTHER ENTITY ENGAGING IN THE BUSINESS OF FITTING, SERVICING, DISPENSING, SELLING, OR OFFERING FOR SALE HEARING AIDS AT RETAIL SHALL FILE, WITH THE DEPARTMENT, BY JULY 1 OF EACH YEAR, A LIST OF ALL LICENSED AND Temporary Licensed HEARING AID DISPENSERS EMPLOYED BY IT; the business name, address, county, and phone number, and the name of the owner and/or manager ON FORMS PRESCRIBED BY THE DEPARTMENT AND A STATEMENT THAT IT COMPLIES WITH THIS ACT; AND, THE RULES PROMULGATED HEREUNDER AND THE REGULATIONS OF THE FEDERAL FOOD AND DRUG ADMINISTRATION (21 CFR 801.420 et seq.). (See-Appendix G). (Section 5 of the Act) The Department shall be notified, in writing, of any changes to the information provided.

(Source: Amended at 17 Ill. Reg. 8825, effective June 10, 1993)

Section 682.170 Audiometer Calibrations

Audiometer calibration shall be conducted on each audiometer used in dispensing hearing aids a minimum of once each year.

a) Audiometer calibration data sheets shall be kept on file, at the dispenser's place of business, for four years after the date of calibration.

b) The audiometer calibration data sheet shall include the following:

- 1) Audiometer identification consisting of make, model and serial number.
- 2) The calibrator's identification consisting of the company name, the company address and the name of the individual who conducted the calibration.
- 3) Audiometer calibration readings for air and bone conduction, speech, rise and decay time, and masking.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

- 4) Calibrator's certification that the audiometer meets or exceeds American National Standard Institute (ANSI) standards. (See Section 682.105(a)(1))
- 5) Date of calibration.
- c) Calibration must be accomplished by the manufacturer or a person equipped with instruments for calibrating audiometers.
- d) Calibration of audiometers shall be in accordance with the Standards set by the American National Standard Institute. (See Section 682.105(a)(1))
- e) Dispenser shall indicate the make of the audiometer, the model, serial number and the date of the last ANSI calibration, for each audiometer used in hearing aid dispensing activities on the Audiometer Calibration Form (Appendix-B), which shall be signed and sent to the Department, by December 1, each year.

(Source: Amended at 17 Ill. Reg. 882.5, effective June 10, 1993)

Section 682.195 Required Forms

All forms required in this Part may be obtained by contacting the Department at 535 West Jefferson, Springfield, Illinois 62761.

(Source: Added at 17 Ill. Reg. 882.5, effective June 10, 1993)

SUBPART B: HEARING AID DISPENSER LICENSE

Section 682.200 Application Procedures For Temporary Hearing Aid Dispenser License

Applicants for licensure shall submit to the Department the following forms and fees, which are required for license application: complete and send the following to the Department.

- a) Application processing fee - \$35.;
- b) Application form (See Appendix-A), which requests the following information: name of applicant, social security number, birthdate, sex, home mailing address, home phone number, business or agency name, business mailing address, business phone, preferred mailing address, highest level of education completed, any university attended, professional certificates held, Primary Supervisor's name/ID number, number of years applicant has dispensed hearing aids, previous convictions or disciplinary actions against dispenser, citizenship status, indication that applicant is free of infectious diseases, and Hearing Aid Consumer Protection Act compliance statement with the signature of applicant.;

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

- c) Supervision and Training Agreement Form (Appendix-B), which is only required for temporary license applicants and requests the following information: the name of the Primary Supervisor, the Observer and the Temporary Licensee; the signature and I.D. number of the Primary Supervisor and Observer(s); and the Primary Supervisor's address and phone number.
- d) License Authorization Form (See Appendix-C), which requests the following information: the dispenser's name and the name, address, county and phone number for all the places of business from which hearing aids will be dispensed by the applicant.
- e) Temporary License Fee - \$40 (6 months)
License Fee - \$80 (2 year)
Duplicate/Additional License Fee - \$10 (each).
License fee of \$40 with \$10 for each duplicate and/or additional license.
- f) Proof Certificate of Liability Insurance (See Appendix-D), which shall give the name and address of the agency; the name(s) and address of the dispenser(s) insured; the name of the company affording coverage; the type of insurance (malpractice); the policy number; policy expiration date; limits of liability in thousands; any cancellation clause(s) and the address of the Department as the certificate holder; or the agency to be notified if the policy is cancelled or expires; and
- g) Surety Penalty Bond when applicable, in the sum of at least \$5000, as specified in Section 11 of the Act (See Appendix-E).

(Source: Amended at 17 Ill. Reg. 882.5, effective June 10, 1993)

Section 682.210 Issuance of a Temporary License

- a) AN APPLICANT WHO FULFILLS THE REQUIREMENTS, AS SET FORTH IN SECTION 8 of the Act, MAY OBTAIN A TEMPORARY LICENSE UPON APPLICATION AND SUCCESSFUL COMPLETION OF WRITTEN OR PRACTICAL EXAMINATIONS. The applicant will be issued a temporary license FOR A PERIOD NOT TO EXCEED 6 MONTHS. A TEMPORARY LICENSE SHALL NOT BE RENEWABLE. (Section 11 of the Act)

Applicants for a temporary license shall be supervised by a Licensed Dispenser.

The license for the Temporary Licensed Hearing Aid Dispenser, in addition to the business address, shall bear the Primary Supervisor's name and License I.D. number.

Responsibilities of the Primary Supervisor, Supervisor's employer and/or Observer(s):

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

- 1) The primary supervisor and observer(s) shall be responsible for the supervision and training of the applicant.
- 2) The primary supervisor and observer(s) shall personally have a minimum of 5 hours per week of face-to-face communication with each temporary licensee with less than 2 years experience dispensing hearing aids for the first 6 months the licensee is valid. The temporary licensee shall be observed performing hearing aid dispensing activities (Section 30) of the Act) and counseling clients.
- 3) A record of these personal observations, by either the primary supervisor or the observer(s) listed on the Supervision Agreement Form, shall be maintained in a log by the temporary licensee. This log shall indicate the following: the activity observed, the amount of time the activity was observed, the date the primary supervisor and the signature of the primary supervisor or the observer who viewed the activity.
- 4) THE SUPERVISOR AND THE SUPERVISOR'S EMPLOYER SHALL BE JOINTLY AND SEVERALLY LIABLE FOR ANY ACTS OF THE TEMPORARY LICENSE HOLDER RELATING TO THE PRACTICE OF FITTING OR DISPENSING HEARING AIDS AS DEFINED IN THIS ACT AND THE RULES PROMULGATED HEREUNDER. (Section 11 of the Act)
- 5) Primary supervisors and the supervisor's employer shall be responsible for the acts of trainees in the practice of fitting and dispensing of hearing aids until the supervisor notifies the Department and the trainee, in writing, by certified mail, of the termination of the relationship.
- 6) If supervision, by the primary supervisor, is terminated from the Temporary Licensee, the Temporary Licensee must find another primary supervisor, shall complete and submit to send the Department a new another Supervision Agreement Form, and shall not dispense hearing aids until the dispenser possesses an amended a-new temporary license, which has the current new primary supervisor's name on it. The date of expiration of the temporary license shall not change with the acquisition of a "new" primary supervisor.
- 7) A primary supervisor shall not supervise more than five (5) temporary licensees during any one period of time. There shall not be a limit on the number of observers a temporary licensee may use and a primary supervisor can serve as an observer for other temporary licensees.

24) The Department shall deny or revoke the supervisory or observational responsibilities of to any person for any actions specified in Section 18 of the Act. The standard which shall be used to make this determination is the applicant ever having done any of the following: pleading nolo contendere; being convicted of a felony or misdemeanor under the laws of

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

- the United States or any State or territory; being disciplined by a governmental or professional association; or being subject to any currently effective injunctive or restrictive order as a result of actions specified in Section 18 of the Act. A certified copy of the court record or a notarized letter from a government body or professional organization, which shall detail the basis for the disciplinary action, shall be proof that the standard for denial of observational or supervisory responsibility has been met.
- 24) When the Department receives the documents described in Section 682.200 of this Part, a Temporary Licensee(s) shall be sent to the business address(es) listed on the License Application Authorization Form.
- (Source: Amended at 17 Ill. Reg. 882.5, effective June 10, 1993)
- Section 682.215 Supervision of Students
- a) FULL-TIME STUDENTS ENROLLED IN A PROGRAM OF AUDIOLOGY IN AN ACCREDITED COLLEGE OR UNIVERSITY MAY ENGAGE IN THE DISPENSING OF HEARING AIDS UNDER THE SUPERVISION OF A LICENSED HEARING AID DISPENSER WITHOUT A TEMPORARY LICENSE FOR A PERIOD NOT EXCEEDING 6 MONTHS. (Section 11 of the Act)
 - b) The primary supervisor of a student(s) engaged in dispensing activities shall notify the Department of such supervision by completing and returning to the Department the Supervision and Training Agreement Form.
 - c) Until such time when the student has obtained a temporary license (6 months) or license (2 years), dispensing of hearing aids off campus is limited to sites or programs affiliated with, or created under, the auspices and approval of the program of audiology in the college or university in which the student is enrolled.
 - d) A primary supervisor shall not supervise more than five students at one time. There shall be no limit on the number of observers a student may use and a primary supervisor can serve as an observer for other students.
 - e) Primary supervisors and the supervisors' employer shall be responsible for the acts of students in the practice of fitting and dispensing of hearing aids until the supervisor notifies the Department and the student, in writing, by certified mail of the termination of the relationship.

(Source: Added at 17 Ill. Reg. 882.5, effective June 10, 1993)

Section 682.230 Place of Business

- a) On the Application License Authorization Form, each hearing aid dispenser shall indicate

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

his or her/his/their name and the name, address, county and phone number of all places of business from which hearing aids will be dispensed.

- b) If the place of business of a licensee is changed from the address(es) provided on any license(s) and/or changed from the preferred mailing address provided to the Department, on the application, the licensee shall file written notice thereof with the Department via the License Correction Form (~~Appendix-F~~) within ten working days of the change. The following information shall be provided by the dispenser: the dispenser's corrected business address, phone and business county, and an indication if the correction is for a duplicate license, for a new license (a new business address), for the deletion of a current license business address or for a change in the preferred mailing address. The Department shall confirm in writing to the dispenser that the changes have been made in the dispenser's records.

- c) Except at those places of business where the consumer can receive hearing aid services via another licensed dispenser, who can be contacted at the dispenser's former business address and phone number, dispensers who make a change in their business location shall leave a forwarding address, with the post office, for at least one year and a forwarding phone number, with the phone company, for at least four months, so that consumer(s) and the Department can contact the dispenser.

(Source: Amended at 17 Ill. Reg. 88.25, effective June 10, 1993)

Section 682.250 Expiration of Licenses and License Renewals

- a) Licensed Hearing Aid Dispenser licenses shall be valid for two years.

- 1) The fee for renewal of the license and duplicate license(s) shall be \$80 for the next two year period.

- 2) The Department shall send renewal and expiration notices to the licensee. The licensee shall send a completed License Renewal Form (~~Appendix-H~~) and the License Renewal Fee to the Department, post marked no later than 30 days prior to the expiration date on the license. Failure to receive a notice to renew shall not relieve the licensed dispenser of the obligation to pay the renewal fee 30 days prior to the expiration date on the license.

- b) Individuals ~~Temporary-Licensed-Hearing-Aid-Dispensers~~, who pass the hearing aid dispenser examination (written and practical), shall complete the Application License Authorization Form and pay an \$80 license fee for the issuance of a License plus \$10 for each additional license. This license which shall be valid for two years.

- c) If the hearing aid dispenser's license has expired and the dispenser has not practiced for 5 years or more the dispenser must successfully complete the Department's Hearing Aid

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

Dispenser examination (written and practical) and pay all the required fees.

(Source: Amended at 17 Ill. Reg. 88.25, effective June 10, 1993)

Section 682.260 Inactive Status Request

ANY LICENSED HEARING AID DISPENSER WHO NOTIFIES THE DEPARTMENT ON THE PRESCRIBED FORMS (~~See-Appendix-F~~), MAY PLACE SUCH LICENSE ON INACTIVE STATUS. (Section 20 of the Act)

(Source: Amended at 17 Ill. Reg. 88.25, effective June 10, 1993)

SUBPART C: TEST PROCEDURES FOR DISPENSING HEARING AIDS

Section 682.320 Tests Performed by Otherg Dispensers

Audiometric tests performed, within the previous six months, by another licensed dispenser or licensed audiologist can be used to make a hearing aid selection (See Section 682.330); however, it is the responsibility of the dispenser who sells the hearing aid to ensure that all tests required by this Part have been conducted prior to dispensing a hearing aid. The seller is also responsible for the hearing aid which is dispensed.

(Source: Amended at 17 Ill. Reg. 88.25, effective June 10, 1993)

SUBPART D: HEARING AID DISPENSER EXAMINATION

Section 682.410 Identification Needed to Take the Examination

The dispenser shall present the following at the examination site prior to taking the examination: ~~a an~~ original registration form validated by the Department or its designee ~~of the Educational-Testing-Services~~; identification with the applicant's name and signature; and a driver's license or other similar photo identification ~~and Higher-Department-License-HD-Card or license~~. No one may take the examination without each of these documents.

(Source: Amended at 17 Ill. Reg. 88.25, effective June 10, 1993)

Section 682.420 Examination: Written and Practical

The examination shall consist of written and practical tests. The written and practical tests section shall be administered by the Department or its designee ~~Educational-Testing-Services and the practical tests shall be administered by the Department~~. These tests shall be administered at least ONCE EVERY TWO MONTHS. (Section 11 of the Act) ~~annually~~.

- a) The examination shall cover those areas of knowledge specified in Section 9 of the Act.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

The examination shall also cover knowledge of the provisions of the Act and this Part this act and the rules promulgated hereunder. A passing grade, for the written examination, shall be a minimum score of 53 correct answers out of 75 questions.

- 1) An applicant who fails failed the written examination may retake the examination. All second examination fee must be paid for each examination.
- 2) There shall be no limit on the number of times the written test can be retaken. The Department shall not permit dispensers who have failed the written examination twice to take the written examination for a minimum of two years, less one week, following the second examination failed.
- 3) The following conditions must be met to take the written examinations for the third and fourth time:

A) The applicant shall file a petition via the Department to the Board requesting permission to retake the examination:

- i) The petitioner shall provide proof that they have completed a minimum of 100 hours of courses and/or training in the areas of knowledge specified in Section 9 of the Act during the 2-year period specified in Section 682.420(a)(2) of this Part. This proof shall be the title of the course(s)/training; the number of hours given for the course; (an hour equals 50 minutes of classroom instruction); the date(s) the course(s)/training was offered; the location of the course; and the sponsor's name, address, phone number and signature verifying that the petitioner was in attendance for all hours for which credit is being submitted to meet these requirements.

- ii) The petitioner shall provide proof that they have not violated the provisions of the Act or this Part by submitting and signing the following statement: I have not ever pleaded not to contend or been convicted of a felony or misdemeanor under the laws of the United States or any state or territory; been disciplined by another governmental or professional association for actions which involve fraud or dishonesty; nor am I subject to any currently effective injunctive or restrictive order as a result of the aforementioned action; and I have not violated the Hearing Aid Consumer Protection Act.

- B) The majority of the Board members must vote to recommend to the Director that the practitioner be allowed to retake the examination and the Director must concur with this recommendation.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

- 4) The procedures for taking the written examination after failure of the third and fourth written examination and all successive pairs of written examinations shall be the same as the procedures outlined in Section 682.420(a)(3)(A) and (B) of this Part.

- 5) The written examination must be successfully completed before the practical examination can be taken.

b) The practical examination shall consist of 4 areas:

- 1) Ear Mold Impressions: the candidate shall explain, to an examiner, the purpose for preparing the ear mold impression; describe the procedures followed in preparing the ear mold impressions; demonstrate preparation of the ear mold impression materials and make an acceptable ear mold impression.

- 2) Pure Tone Audiometry: The candidate shall instruct an examiner before looking in the ear with an otoscope; look in the examiner's ear with an otoscope and identify the landmarks and findings of the ear examination; instruct the examiner prior to conducting pure tone audiometry; place the ear phone and bone conduction vibrator on the examiner; and obtain the air conduction and bone conduction hearing threshold at 1000Hz and 2000Hz for both right and left ear and record the results on an audiogram.

- 3) Speech Audiometry: The candidate shall set up an audiometer for speech audiometric testing; instruct the examiner prior to conducting speech reception threshold (SRT) measurements; compute and record the speech reception threshold; instruct the examiner prior to conducting speech discrimination measurement; compute and record the speech discrimination score; instruct the examiner for obtaining the most comfortable loudness level and uncomfortable loudness level.

- 4) Hearing Aid: The candidate shall use a battery tester; test eight hearing aid batteries and identify the weak or dead batteries; examine seven malfunctioning hearing aids; and correctly identify the problem areas in these hearing aids.

- c) The minimum passing scores for each area shall be as follows: Ear Mold Impression - 15 points out of 18, Pure Tone Audiometry 58 points out of 69, Speech Audiometry 14 points out of 19 and Hearing Aids 11 points out of 15.

- d) The fee for the exam shall be \$200/50. The fee for retaking each failed area of the exam shall be \$50 per area with a maximum charge for all four areas of \$450.

- e) If the dispenser chooses to retake the practical examination, all of the areas failed must be retaken on the same date and contiguously.

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

f) There shall be no limit on the number of times the practical test can be retaken.

(Source: Amended at 17 Ill. Reg. 8825, effective June 10, 1993)

Section 682.440 Temporary License Expiration Prior to Examination

If a dispenser's license expires before obtaining passing scores for the written and practical portions of the Illinois Department of Public Health Hearing Aid Dispenser Examination, the dispenser shall not dispense hearing aids.

(Source: Amended at 17 Ill. Reg. 8825, effective June 10, 1993)

Section 682.450 Examination Due Process

The results of a practical examination may be appealed to the Board. The Board shall only hear an appeal for the most recent practical examination taken at a scheduled board meeting. The appeal should be addressed to the Chairman of the Board via the Department. The appellant shall indicate the nature of the their complaint and document the reasons for the complaint. A majority of the Board shall recommend one of the following: that the complaint is not valid; that a passing grade be awarded; or that the appellant may retake the examination at no cost.

(Source: Amended at 17 Ill. Reg. 8825, effective June 10, 1993)

Section 682. Appendix A Application Form (Renewed)

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

40. ZIP CODE (9 SPACES) 41. COUNTY (41 SPACES) 42. HOME PHONE (AC & NO)

43. BUSINESS OR AGENCY NAME (22 SPACES)

44. BUSINESS MAILING ADDRESS: STREET, ROUTE, OR P.O. BOX (22 SPACES)

45. CITY—SPELL CITY COMPLETELY IF POSSIBLE (28 SPACES) 46. STATE

47. ZIP CODE (9 SPACES) 48. COUNTY (41 SPACES) 49. HOME PHONE (AC & NO)

50. BUSINESS ADDRESS: 20. ☐ BUSINESS 21. ☐ HOME

HIGHEST LEVEL OF EDUCATION

COMPLETE: 22. ☐ HS Diploma 23. ☐ B.S./B.A. 24. ☐ M.S./M.A. 25. ☐ Ph.D./Ed.D. 26. ☐ M.D.

UNIVERSITY OR COLLEGE FROM WHICH HIGHEST ACADEMIC DEGREE WAS OBTAINED

CITY STATE DEGREE YEAR

27. ☐ ASHA C.C.C.-A AUDIOLOGIST 28. ☐ CERT. OF NAT'L HEARING AID SOCIETY

29. PRIMARY SUPERVISOR'S NAME LICENSE ID.#

TEMPORARY LICENSE APPLICANTS MUST ATTACH DDH VERIFICATION OF TRAINING AND SUPERVISION AGREEMENT TO THIS APPLICATION.

34. ☐ NUMBER OF YEARS HEARING AID DISPENSED APPLICANT HAS DISPENSED HEARING AIDS

35. ☐ YES ☐ NO HAS APPLICANT EVER PLEADED NOLO CONTENDERE OR BEEN CONVICTED OF A FELONY OR MISDEMEANOR UNDER THE LAWS OF THE UNITED STATES OR ANY STATE OR TERRITORY BEEN DISCIPLINED BY ANOTHER GOVERNMENTAL OR PROFESSIONAL

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

ASSOCIATION FOR ACTIONS WHICH INVOLVED FRAUD OR
DISHONESTY, OR SUBJECT TO ANY CURRENTLY EFFECTIVE
INJUNCTIVE OR RESTRICTIVE ORDER AS A RESULT OF THE
APPEALED ACTION.

IF ANSWER IS YES, APPLICANT MUST PROVIDE A DETAILED
EXPLANATION OF THE VIOLATION INCLUDING DATES, LOCATION
AND COURT DOCKET NUMBER.

33. ☐ YES ☐ NO
IS APPLICANT A U.S. CITIZEN OR LEGAL ALIEN? IF ALIEN, INDICATE
ALIEN REGISTRATION NUMBER: _____

34. ☐ YES ☐ NO
IS APPLICANT FREE OF INFECTIOUS OR CONTAGIOUS DISEASE?

IDPH USE ONLY *****

☐ INACTIVE ☐ DROPPED ☐ REVOKED ☐ SUSPENDED ☐ PROBATION

35. BUSINESS, TRIP REGION # AND COUNTY CODE

36. ☐ 30 DAY YR ☐ 37. ☐ 90 DAY YR
EXPIRES

FEES *****

LICENSE APPLICATION FEE: \$35 DO NOT SEND CASH

AMOUNT OF CHECK \$ _____

FEES ARE NOT REFUNDABLE.

ALL CHECKS MUST BE MADE OUT AS SHOWN IN THE EXAMPLE—
TO: IDPH—HEARING-AID PROGRAM

A NEW ADDRESSED POST-CARD MUST BE ENCLOSED FOR ACKNOWLEDGEMENT OF THE
RECEIPT OF THIS APPLICATION AND FEE.

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

HEARING-AID-CONSUMER PROGRAM COMPLAINTANCE STATEMENT

I AFFIRM THAT I WILL COMPLY WITH THE PROVISIONS OF THE HEARING-AID-CONSUMER
PROTECTION ACT, THE RULES AND REGULATIONS ISSUED AND THE REGULATIONS OF THE
OFFICE OF FOOD AND DRUG ADMINISTRATION. I AFFIRM THAT THE INFORMATION GIVEN
BY ME IN THIS APPLICATION IS TRUE, CORRECT AND COMPLETE. I UNDERSTAND THAT
THE WILLFUL MAKING OF A FALSE, MISLEADING OR INCOMPLETE STATEMENT CAN BE
CRIMINALLY OR DISCIPLINARY ACTION BY THE ILLINOIS DEPARTMENT OF PUBLIC HEALTH.

SIGNATURE _____ DATE _____

SEND APPLICATION AND CHECK TO:

ILLINOIS DEPARTMENT OF PUBLIC HEALTH
DIVISION OF HEALTH ASSESSMENT AND
SCREENING
HEARING-AID-CONSUMER PROTECTION PROGRAM
315 WEST PETERSON STREET
SPRINGFIELD, ILLINOIS 62761
PHONE: 217/782-4733

PLEASE REVIEW THE APPLICATION TO ENSURE THAT ALL REQUESTED INFORMATION HAS
BEEN GIVEN AND THAT ALL REQUESTED MATERIALS ARE ENCLOSED. INCOMPLETE
APPLICATIONS WILL BE RETURNED.

(Source: Repealed at 17 Ill. Reg. _____, effective June 10, 1993)

Section 682 Appendix B Supervision and Training Agreement Form (Repealed)

ILLINOIS DEPARTMENT OF PUBLIC HEALTH
DIVISION OF HEALTH ASSESSMENT AND SCREENING
HEARING-AID-CONSUMER PROGRAM

HEARING-AID DISPENSER
FOR
SUPERVISION AND TRAINING AGREEMENT

All applicants for an Illinois Department of Public Health Temporary License must be employed
(supervised) by a Licensed Hearing Aid Dispenser as defined in the Illinois Hearing Aid-Consumer

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

Protection Act.

I affirm that I _____ will be responsible for the acts

(Name of Primary Supervisor) (Please Print)

of _____ made in the fitting, dispensing and servicing of hearing aids; while the applicant is under my supervision as a Temporary Licensed Hearing Aid Dispenser" as through the actions were committed by me;

Signature of Primary Supervisor and Date

Licensed Dispenser

Supervisor's Employee

Address: _____
City/County/State: _____
Address: _____
City/County/State: _____

Phone: _____
Fax: _____
Phone: _____
Fax: _____

License I.D. # _____

Observer(s) See Back of Form

(Name of Observer & License I.D.#)

Please Print

(Signature and Date)

(Name of Observer & License I.D.#)

Please Print

(Signature and Date)

(Name of Observer & License I.D.#)

Please Print

(Signature and Date)

(Name of Observer & License I.D.#)

Please Print

(Signature and Date)

(Name of Observer & License I.D.#)

Please Print

(Signature and Date)

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

(Name of Observer & License I.D.#)

Please Print

(Signature and Date)

(Source: Repealed at 17 Ill. Reg. _____, effective June 10, 1993)

682. Appendix C License Authorization Form (Repealed)

HEARING AID DISPENSER
LICENSE AUTHORIZATION FORM
ILLINOIS DEPARTMENT OF PUBLIC HEALTH
DIVISION OF HEALTH ASSESSMENT
AND SCREENING HEARING AID
CONSUMER PROTECTION PROGRAM

FEE VALIDATION

License Fee I.D. # _____

Miss Fee (Duplicate)

License I.D. # _____

I.D. # _____

HEALTH USE ONLY

Please print or type the name of the person who will be issued the license, the business name and address where it will be displayed and the addresses for each location from which the licensed person will dispense hearing aids:

Name:		First	Middle	Last
Business:	Name	Business:		
Address:		Address:		
County:		County:		
Phone:		Phone:		
	(A/C) Number	(A/C) Number		
Business:	Name	Business:		
Address:		Address:		
County:		County:		

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

Phone: _____ (A/C) _____ Number _____
 Business: _____ (A/C) _____ Number _____
 Address: _____ Name _____

 County: _____
 Phone: _____ (A/C) _____ Number _____

The License Fee is \$40. The duplicate License Fee is \$10 per license. If additional duplicate licenses are needed, please duplicate this form.

(Source: Repealed at 17 Ill. Reg. _____, effective June 10, 1993)

Section 682, Appendix D Certificate of Insurance (Repealed)

Name and Address of Agency	COMPANIES AFFORDING COVERAGES				
	Company Letter—A	Company Letter—B	Company Letter—C	Company Letter—D	Company Letter—E
Name and Address of Insured					

This is to certify that policies of insurance listed below have been issued to the insured named above and are in force at this time. Notwithstanding any equipment, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies.

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

Company Letter	Type of Insurance	Policy Number	Policy Expiration Date	Limits of Liability in Thousands (\$000)	
				Each Occurrence	Aggregate
A	GENERAL LIABILITY				
	<input type="checkbox"/> Comprehensive Form			\$	\$
	<input type="checkbox"/> Premises-Operations			\$	\$
	<input type="checkbox"/> Explosion and Collapse Hazard				
	<input type="checkbox"/> Underground Hazard			\$	\$
	<input type="checkbox"/> Products/Completed Operations Hazard				
	<input type="checkbox"/> Contractual Insurance				
	<input type="checkbox"/> Broad Form-Property Damage			\$	\$
	<input type="checkbox"/> Independent Contractors				

DEPARTMENT OF PUBLIC HEALTH

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

<input type="checkbox"/> Personal Injury	AUTOMOBILE LIABILITY	Personal Injury		\$
		Bodily Injury (each Person)	\$	
<input type="checkbox"/> Comprehensive Form		Bodily Injury (each Person)	\$	
<input type="checkbox"/> Owned		Bodily Injury (each Accident)	\$	
<input type="checkbox"/> Hired		Property Damage	\$	
<input type="checkbox"/> Non-Owned		Bodily Injury and Property Damage Combined	\$	
<input type="checkbox"/> EXCESS LIABILITY		Bodily Injury and Property Damage Combined	\$	\$
<input type="checkbox"/> Unlabeled Form				
<input type="checkbox"/> Other than Umbrella Form				
<input type="checkbox"/> WORKERS' COMPENSATION and EMPLOYERS' LIABILITY		Statutory		
<input type="checkbox"/> OTHER			\$	\$

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES

Professional Liability/Malpractice

Cancellation:

Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail _____ days written notice to the below named certificate holder, but failure to mail such notice shall impose no obligation or liability of any kind upon the company.

NAME AND ADDRESS OF CERTIFICATE HOLDER

Illinois Department of Public Health

Division of Health Assessment

and Screening

Hearing Aid Consumer Protection Program

535 West Jefferson Street

Springfield, Illinois 62764

Date Issued: _____

BY _____

(Source: Repealed at 17 Ill. Reg. 882.5, effective June 10, 1993)

Section 682, Appendix E, Surety Penal Bond (Repealed)

COUNTY OF _____

STATE OF ILLINOIS _____

SURETY PENAL BOND

TEMPORARY LICENSE

HEARING AID CONSUMER PROTECTION ACT

We (I), _____, of _____, City of _____, State of Illinois, as principal, and _____, a corporation incorporated under the laws of the State of Illinois, and duly licensed to transact a surety business in the State of Illinois, as surety, as indebted to the People of the State of Illinois in the penal sum of Five Thousand Dollars (\$5,000.00), for which payments we bind ourselves and our legal representatives and successors, jointly and severally:

The condition of this obligation is that principal has applied for a Temporary License to dispose, fit or service hearing aids from the Illinois Department of Public Health in accordance with Section 14 of the Hearing Aid Consumer Protection Act and to furnish a bond therefore on the terms and conditions set forth therein.

If, for the period covered by the Temporary License, principal and all his agents and employees, faithfully conform to and abide by the provisions of the Hearing Aid Consumer Protection Act (Ill. Rev.

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

See 1027, ch. 111, par. 7401 (4-seq.) and the Rules and Regulations promulgated thereunder together with all secondary and supplementary acts thereof now and hereafter enacted, then this obligation shall be null and void otherwise it shall remain in full force and effect.

This bond is intended to comply with the requirements of Section 7411 of Chapter 111 of the Illinois Revised Statutes and is a penal bond.

IN WITNESS WHEREOF, the parties have executed this bond on the ____ day of _____, 19__.

PRINCIPAL

SURETY

BY ATTORNEY-IN-FACT AND AGENT

(Source: Repealed at 17 Ill. Reg. _____, effective June 10, 1993)
Section 682 Appendix F Inactive Status Request (Repealed)

HEARING-AID-DISPENSER INACTIVE-STATUS REQUEST

I, _____ (Dispenser's Name - Please Print), hereby request, effective _____ (Date)

to have my hearing-aid dispenser's license put on an inactive status. I recognize that this will exempt me from payment of all license renewal fees during the time of my inactive status.

I will do the following:

1. Notify the Illinois Department of Public Health in writing when I wish to resume the practice of fitting, dispensing, and servicing hearing aids, in Illinois.
2. Pay the current license renewal fee and provide evidence that the continuing education requirements have been met during the inactive period.
3. Provide the Department with sworn evidence certifying the active practice of dispensing hearing aids in another jurisdiction if my inactive status is more than five (5) years.

I will not dispense hearing aids in Illinois while my license is on an inactive status.

I have read and fully understand the above provisions. I have enclosed my Illinois Department of Public Health Hearing Aid Dispenser License and all duplicates.

Signature and Date _____

License ID# _____

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

IDPH Use Only

The above _____, effective _____ (Date)
is acknowledged by the Illinois Department of Public Health Hearing Aid Consumer Protection Program to be on inactive status as provided in the Hearing Aid Consumer Protection Act.

Hearing Aid Consumer Protection Program
Division of Health Assessment and Screening

(Source: Repealed at 17 Ill. Reg. _____, effective June 10, 1993)

Section 682 Appendix G Registration of Hearing Aid Dispensers Employed by a Hearing Aid Corporation, Partnership, Trust, Association or Entity (Repealed)

ILLINOIS DEPARTMENT OF PUBLIC HEALTH
DIVISION OF HEALTH ASSESSMENT AND SCREENING
HEARING-AID-CONSUMER PROTECTION PROGRAM

PLEASE TYPE OR PRINT

Business Name: _____

Address: _____

County: _____

Phone: _____

Owner: _____ Manager: _____

Name

Name

The above named business employs the following hearing aid dispensers:

LICENSED HEARING-AID DISPENSERS

Name (Last, First & Initial)

License
I.D.#

1. _____

2. _____

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____

TEMPORARY LICENSED HEARING AID DISPENSERS

Name (Last, First & Initial) _____
License # _____
1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____

If additional space is needed, please type or print the additional names or business location under the appropriate headings on a separate sheet. If there are subsequent deletions or additions to this disclosure, the Department must be notified in writing.

VERIFICATION

"I affirm that the above business complies with the provisions of the Hearing Aid Consumer Protection Act. The Rules issued pursuant to it: the regulations of the Federal Food and Drug Administration (21 CFR 801.420 et seq.) and that all persons employed by this business, engaged in the activity of fitting and dispensing of hearing aids, as defined in the Hearing Aid Consumer Protection Act, are listed on this Compliance Statement. I affirm that this Compliance Statement is true, correct and complete. I understand that making a false, misleading or incomplete statement can be grounds for disciplinary action by the Illinois Department of Public Health."

SIGNATURE _____ DATE _____
BUSINESS TITLE _____

(Source: Repealed at 17 Ill. Reg. 8825, effective June 10, 1993)

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

Section 682 Appendix H License Renewal Form (Repealed)

LICENSE RENEWAL
ILLINOIS DEPARTMENT OF PUBLIC HEALTH
DIVISION OF HEALTH ASSESSMENT
AND SCREENING CONSUMER PROTECTION PROGRAM

LICENSE RENEWAL FEE IS \$80. (225)

Validation _____

If additional licenses are needed due to a name change, address change or new location, please print the business name, address, county and phone number below. There is a fee of \$10 for each license. (224)

Facilities:	Name	Name
Address:	Address:	Address:
County:	County:	County:
Phone:	Phone:	Phone:
(A/C)	Number	(A/C) Number

I AFFIRM THAT THE INFORMATION GIVEN BY ME IN THIS LICENSE RENEWAL IS TRUE, CORRECT AND COMPLETE. I UNDERSTAND THAT THE WILLFUL MAKING OF A FALSE, MISLEADING OR INCOMPLETE STATEMENT CAN BE GROUNDS FOR DISCIPLINARY ACTION BY THE ILLINOIS DEPARTMENT OF PUBLIC HEALTH.

Signature License ID # Date

SEND LICENSE RENEWAL AND CHECK TO:

ILLINOIS REGISTER

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

ILLINOIS DEPARTMENT OF PUBLIC HEALTH

I AFFIRM THAT THE INFORMATION, GIVEN BY ME, ON THIS FORM IS TRUE, CORRECT AND COMPLETE. I UNDERSTAND THAT THE WILLFUL MAKING OF FALSE, MISLEADING OR INCOMPLETE STATEMENT CAN BE GROUNDS FOR DISCIPLINARY ACTION BY THE ILLINOIS DEPARTMENT OF PUBLIC HEALTH.

DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF HEALTH ASSESSMENT AND SCREENING
HEARING AID-CONSUMER PROTECTION PROGRAM
535 WEST JEFFERSON STREET, 3rd FLOOR
SPRINGFIELD, ILLINOIS 62761

incomplete Renewal Forms and incorrect amounts on the check will cause all materials to be returned.

(Source: Revealed at 17 III. Reg. 8825, effective June 10, 1993)

Section 682. Appendix I Audiometer Calibration Form (Revealed)

~~HEARING AID CONSUMER PROTECTION PROGRAM AUDIOMETER CALIBRATION FORM~~

Business

Name: _____

Address:

~~RETURN BY DECEMBER 1 TO:~~

ILLINOIS DEPARTMENT OF PUBLIC HEALTH
DIVISION OF HEALTH ASSESSMENT AND SCREENING
AGING AID CONSUMER PROTECTION PROGRAM
535 S. WEST JEFFERSON STREET, THIRD FLOOR
SPRINGFIELD, ILLINOIS 62761

(Source: Revealed at 17 Ill. Reg. 8825, effective June 10, 1993)

Section 682: Appendix J License Correction Form (Revealed)

HEARING-AID DISPENSER
LICENSE-CORRECTION FORM
ILLINOIS DEPARTMENT OF PUBLIC HEALTH
DIVISION OF HEALTH ASSESSMENT
AND SCREENING HEARING-AID-CONSUMER
PROTECTION PROGRAM

Stat. 1987, ch. 111, par. 7404)

FREE VALIDATION

License Fee I.D. #: _____

~~Misc. Fee (Duplicate)~~

IDPH USE ONLY

Please print or type the name of the licensed or temporary licensed dispenser and indicate any changes in their preferred mailing address or the business name and address from which hearing aids will be dispensed.

Source:

五

Middle

Last

12345678910111213141516171819202122232425262728293031323334353637383940414243444546474849505152535455565758596061626364656667686970717273747576777879808182838485868788899091929394959697989910010110210310410510610710810911011111211311411511611711811912012112212312412512612712812913013113213313413513613713813914014114214314414514614714814915015115215315415515615715815916016116216316416516616716816917017117217317417517617717817918018118218318418518618718818919019119219319419519619719819920020120220320420520620720820921021121221321421521621721821922022122222322422522622722822923023123223323423523623723823924024124224324424524624724824925025125225325425525625725825926026126226326426526626726826927027127227327427527627727827928028128228328428528628728828929029129229329429529629729829930030130230330430530630730830931031131231331431531631731831932032132232332432532632732832933033133233333433533633733833934034134234334434534634734834935035135235335435535635735835936036136236336436536636736836937037137237337437537637737837938038138238338438538638738838939039139239339439539639739839940040140240340440540640740840941041141241341441541641741841942042142242342442542642742842943043143243343443543643743843944044144244344444544644744844945045145245345445545645745845946046146246346446546646746846947047147247347447547647747847948048148248348448548648748848949049149249349449549649749849950050150250350450550650750850951051151251351451551651751851952052152252352452552652752852953053153253353453553653753853954054154254354454554654754854955055155255355455555655755855956056156256356456556656756856957057157257357457557657757857958058158258358458558658758858959059159259359459559659759859960060160260360460560660760860961061161261361461561661761861962062162262362462562662762862963063163263363463563663763863964064164264364464564664764864965065165265365465565665765865966066166266366466566666766866967067167267367467567667767867968068168268368468568668768868969069169269369469569669769869970070170270370470570670770870971071171271371471571671771871972072172272372472572672772872973073173273373473573673773873974074174274374474574674774874975075175275375475575675775875976076176276376476576676776876977077177277377477577677777877978078178278378478578678778878979079179279379479579679779879980080180280380480580680780880981081181281381481581681781881982082182282382482582682782882983083183283383483583683783883984084184284384484584684784884985085185285385485585685785885986086186286386486586686786886987087187287387487587687787887988088188288388488588688788888989089189289389489589689789889990090190290390490590690790890991091191291391491591691791891992092192292392492592692792892993093193293393493593693793893994094194294394494594694794894995095195295395495595695795895996096196296396496596696796896997097197297397497597697797897998098198298398498598698798898999099199299399499599699799899910001001100210031004100510061007100810091010101110121013101410151016101710181019102010211022102310241025102610271028102910301031103210331034103510361037103810391040104110421043104410451046104710481049105010511052105310541055105610571058105910601061106210631064106510661067106810691070107110721073107410751076107710781079108010811082108310841085108610871088108910901091109210931094109510961097109810991100110111021103110411051106110711081109111011111112111311141115111611171118111911201121112211231124112511261127112811291130113111321133113411351136113711381139114011411142114311441145114611471148114911501151115211531154115511561157115811591160116111621163116411651166116711681169117011711172117311741175117611771178117911801181118211831184118511861187118811891190119111921193119411951196119711981199120012011202120312041205120612071208120912101211121212131214121512161217121812191220122112221223122412251226122712281229123012311232123312341235123612371238123912401241124212431244124512461247124812491250125112521253125412551256125712581259126012611262126312641265126612671268126912701271127212731274127512761277127812791280128112821283128412851286128712881289129012911292129312941295129612971298129913001

DEPARTMENT OF PUBLIC HEALTH
 NOTICE OF ADOPTED AMENDMENTS

Business: _____
 Address: _____
 County: _____
 Phone: _____
 (A/C) Number

☐ New-Preferred Mailing Address

Business: _____
 Address: _____
 County: _____
 Phone: _____
 (A/C) Number

☐ New-Address
☐ Duplicate-Address

Business: _____
 Address: _____
 County: _____
 Phone: _____
 (A/C) Number

☐ New-Address
☐ Duplicate-Address

☐ Delete

The License Fee is \$40. The duplicate License Fee is \$10 per license. If additional licenses are needed, please duplicate this form.

(Source: Repealed at 17 Ill. Reg. 8825, effective June 10, 1993)

 DEPARTMENT OF REVENUE
 NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Board of Appeals
 2) Code Citation: 86 Ill. Adm. Code 210
 3) Section Numbers: Adopted Action:

210.101 Amendment
 210.105 Amendment
 210.110 Amendment
 210.115 Amendment
 210.120 Amendment
 210.125 Amendment
 210.126 New Section
 210.130 Amendment

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 127, pars. 39b20, 39c and 39c-4, as amended by P.A. 87-1246 [20 ILCS 2505/39b20, 2505/39c and 2505/39c-4]

5) Effective Date of Amendment(s): June 2, 1993

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: June 2, 1993

9) Notice of Proposal Published in Illinois Register:

March 5, 1993, 17 Ill. Reg. 2718

10) Has ICAR issued a Statement of Objections to these Amendments? No
 11) Differences between proposal and final version: The following changes were made in response to suggestions from the Administrative Code Division of the Secretary of State:

1. In the Table of Contents, Section 210.125, the word "By" was changed to "by" to conform the title as it appears in the Table of Contents to the title as it appears in the text of the rule.
2. The changes in the authority note will be indicated by underscoring and strike-outs. The authority note will be revised to state:

AUTHORITY: Implementing and authorized by Section 39b20, and 39c and 39c-4 of the Civil Administrative Code of Illinois (Ill. Reg. Stat. 1987 1991, ch. 127, pars. 39b20, and 39c and 39c-4, as

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

amended by P.A. 87-1246, [20 ILCS 2505/29620, 2505/296c and 2505/296c-4]

3. The duplicative reference in the main source note for "April 12, 1989" was deleted.
4. Section 210.126(b)(1) was amended to add the word "below" following the reference to "subsection (c)(1)".

In response to comments received from Stanley Kaminski of McDermott, Will & Emery, the Department modified Section 210.126(e) by adding the following as the new second sentence: "Taxpayer has made a good faith effort to accurately report its tax liability under voluntary disclosure where taxpayer has made a reasonable and honest effort to calculate and report its correct tax liability due and does not intentionally or purposefully misrepresent its tax liability to the Department."
- 12) Have all the changes agreed upon by the agency and ICAR been made as indicated in the agreement letter issued by ICAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendment(s): This rulemaking amends the rules of the Board of Appeals in response to P.A. 87-1246 to set forth the policies and procedures of the Board relative to the Voluntary Disclosure program. Section 396-4 of the Civil Administrative Code provides that in the case of a failure to file a return required by that Section, the tax may be assessed no more than 4 years after the original due date of each return required to have been filed. In addition to amendments required to implement P.A. 87-1246 the Board rules are proposed for amendment to update Board policies.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Keith Staats
Staff Attorney
Illinois Department of Revenue
Income Tax Legal Services Bureau
101 West Jefferson
Springfield, Illinois 62794
Phone: (217) 782-7054

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 86: REVENUE

CHAPTER 1: DEPARTMENT OF REVENUE

PART 210
BOARD OF APPEALS

Section 210.101 Filing of Written Petition
 210.102 Hearings
 210.105 Recommendations
 210.110 Offers in Compromise
 210.115 Waiver of Penalty and Interest
 210.120 Denial By-Lapse of Time
 210.125 Voluntary Disclosure
 210.126 Departmental Controversies
 210.130 Decisions of the Board

AUTHORITY: Implementing and authorized by Section 39020, 39c and 39c-4 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, pars. 39020, 39c and 39c-4, as amended by P.A. 87-1246) [20 ILCS 2505/39020, 39c and 39c-4].

SOURCE: Adopted at 5 Ill. Reg. 5348, effective April 30, 1981; codified at 6 Ill. Reg. 801, effective January 5, 1982; amended at 13 Ill. Reg. 6782, effective April 12, 1989; emergency amendment at 17 Ill. Reg. 665, effective January 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 8860, effective June 2, 1993.

Section 210.101 Filing of Written Petition

A review before the Board of Appeals (Board) shall be commenced by the filing of a written petition. Except as provided in Section 210.126 and 210.130, no petition shall be filed prior to the time not more than 60 days after a notice of deficiency or notice of tax liability has become final. A notice of deficiency or notice of tax liability is final when all administrative hearings and proceedings in court to review such assessment have been exhausted or when the petition has expired without having been so determined by the Board. The petition shall be filed in a form prescribed by the Board and shall identify the taxpayer, briefly state the facts of the case, specify the relief requested and the reasons therefor. A memorandum of law may be appended. No other pleading shall be filed.

(Source: Amended at 17 Ill. Reg. 8860, effective June 2, 1993.)

Section 210.105 Hearings

Any relevant factual matter may be determined by the Board informally. If necessary to adequately develop the facts alleged to be grounds for relief, a

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

format hearing by a hearing officer, a Board Member, or the full Board may be held.

(Source: Amended at 17 Ill. Reg. 8860, effective June 2, 1993.)

Section 210.110 Recommendations

No relief may be recommended to the Director except by affirmative vote of at least 2 Board Members.

(Source: Amended at 17 Ill. Reg. 8860, effective June 2, 1993.)

Section 210.115 Offers in Compromise

a) A petition in the nature of an offer in compromise may be filed by the taxpayer. The only grounds for relief that may be propounded is uncertainty as to collectibility. No such petition may be filed prior to an assessment of tax liability becoming final.

b) "An offer in compromise" is defined as a proposal by taxpayer to pay a sum certain in full satisfaction to taxpayer's unpaid amount of tax (including penalty and interest).

c) In considering taxpayer's proposal to pay a sum certain, the Board may examine taxpayer's financial situation and the likelihood of future earnings as well as the likelihood of collection of the amount due by the Department.

(Source: Amended at 17 Ill. Reg. 8860, effective June 2, 1993.)

Section 210.120 Waiver of Penalty and Interest

a) A petition for abatement of a penalty or interest may be filed only in cases where the Department has no other established procedure of determination of the issue.

b) The Board may waive penalty or interest only in the following situations:

- 1) A late filing due to Reasonable Cause; or
- 2) Unreasonable delays caused by the Department in any process under the control of the Department; or
- 3) A timely payment has been made to the Department by a person other than the person who is actually liable for the tax; or
- 4) The Board has taken special jurisdiction over a case pursuant to Section 210.130; or
- 5) Where otherwise provided for by statute.

c) If the taxpayer exercised ordinary business care and prudence and was nevertheless unable to file the return within the prescribed time, the delay is due to a reasonable cause.

NOTICE OF ADOPTED AMENDMENT(S)

d) The Board may consider taxpayer's compliance history including previous tax violations with the Department in considering taxpayer's petition for relief based on reasonable cause.

(Source: Amended at 17 Ill. Reg. 8860, effective June 2, 1993.)

Section 210.125 Denial by lapse of time

If no action is taken by the Board and written notice thereof mailed within 60 365 days after the date of filing, the petition is deemed denied.

(Source: Amended at 17 Ill. Reg. 8860, effective June 2, 1993.)

Section 210.126 Voluntary Disclosure

a) Statutory authority. Section 39c-4 of the Civil Administrative Code of Illinois, as added by P.A. 87-1246, sets forth limitation periods for the assessment of taxes by the Illinois Department of Revenue (Department). In the case of a failure to file a return required by law that is voluntarily disclosed to the Department, in accordance with this Section, the tax may be assessed no more than 4 years after the original due date of each return required to have been filed (Section 39c-4 of the Civil Administrative Code of Illinois, Ill. Rev. Stat. 1991, ch. 127, par. 39c-4, as added by P.A. 87-1246) [20 ILCS 2405/39c-4].

b) Taxpayers must voluntarily come forward and disclose. In order for the statute of limitations to be limited to no more than four years under Illinois law, a taxpayer must voluntarily come forward and disclose its liability to the Board of Appeals. A taxpayer has voluntarily come forward and disclosed its liability to the Board when it has done the following:

- 1) Taxpayer must file an application for voluntary disclosure. Application in a form prescribed by the Board, prior to the Department of Revenue has initiated an audit or investigation of taxpayer. The application is not accepted by the Board until it has been approved and signed by a Board member. A Board member may extend the time period in which the Department has notified the Board that the taxpayer had not initiated an audit or investigation of taxpayer, as those terms are defined in subsection (c)(1) below, prior to the filing date of taxpayer's Application with the Board. The filing date of taxpayer's Application with the Board is the date the Application is received by the Board. Once a Board member has signed the Application, the Board will furnish taxpayer with a copy of the executed Application.
- 2) Taxpayer must file returns and pay liability. Once taxpayer has

NOTICE OF ADOPTED AMENDMENT(S)

received a copy of the executed Application, taxpayer must file Illinois tax returns for the tax being disclosed for the last four years with the Board and pay all tax, penalty and interest (except for those amounts for which taxpayer is petitioning the Board seeking relief) within thirty days from the Board of Appeals member's Signature Date (Signature Date). The Board of Appeals member's Signature Date is the date the Board member signs the Application, taxpayer's notification of its tax liability and the Department's acknowledgment of receipt of a document and in a manner reviewable by the Department. A taxpayer who maintains that it was not required to file returns and pay tax for the entire four years shall file returns and pay tax for the period that it maintains it was required to do so under Illinois law. In addition, taxpayer will provide in its petition to the Board its reasons why it maintains it does not owe tax for the entire voluntary disclosure period (immediately preceding four years). The Board will determine the number of years (up to the four year maximum) taxpayer is subject to Illinois tax under voluntary disclosure. The Board will notify taxpayer of its decision. Taxpayer will file returns and pay tax for the number of years (up to four years maximum) the Board has determined taxpayer is subject to tax under voluntary disclosure. Taxpayer will file any additional returns and pay any additional liability owed within 60 days from the date of notification to the taxpayer. The date of notification is the date shown on the notification sent to the taxpayer by the Board.

3) Taxpayer may file petition with tax returns. Taxpayers who, in addition to seeking the four year statute of limitations, are requesting additional relief from the Board, must file a petition within 30 days from the Signature Date in the manner prescribed by Section 210.101. Taxpayers shall file their petition with the Board concurrently with their tax returns for the voluntary disclosure period to the address designated by the Board.

c) Disqualifying tax return disclosure. A taxpayer does not qualify for voluntary disclosure if:

- 1) The Department has initiated an audit or investigation. It is established its Application with the Board, initiated an audit or investigation of the taxpayer.
- A) Initiated an audit. The Department has initiated an audit of the taxpayer if, at a minimum:
 - i) The Audit Bureau of the Department has contacted the taxpayer by telephone to schedule an appointment to audit taxpayer for the particular Illinois tax type being disclosed; or
 - ii) The Audit Bureau of the Department has contacted the taxpayer in writing regarding a possible tax liability or a notice of intent to audit for the particular Illinois tax type being disclosed.

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

- b) Initiated an investigation. The Investigations and Prosecutions Bureau of the Department has initiated an investigation of a taxpayer if, at a minimum, the Department has opened a criminal investigation file on the taxpayer.
- c) Partner ships. Once the Department has initiated an audit or investigation of a partnership or a general partner of the partnership, the Department is deemed to have initiated an audit or investigation of the partnership and all partners of that partnership with respect to the liability from such partnership for purposes of qualifying for voluntary disclosure.
- 2) Taxpayer does not file returns. Taxpayer does not file tax returns within thirty days from the Signature Date.
- 3) Taxpayer does not pay tax liability. Taxpayer does not pay all tax, penalty, and interest (except for those amounts for which taxpayer is seeking relief from the Board) within thirty days from the Signature Date.
- 4) Taxpayer does not comply with Board Order. Taxpayer does not comply with the Board's Order regarding taxpayer's petition seeking relief.
- 5) Taxpayer does not begin prospective compliance. Taxpayer must begin prospective compliance with Illinois tax law as a part of voluntary disclosure. Taxpayer has begun prospective compliance when taxpayer has made a good faith effort to comply with Illinois tax law. This would include prospectively filing all returns that are due, paying the tax liability owed, registering with the Department and begin remitting all taxes collected. Taxpayer has not remitted all taxes collected for the Illinois tax type being disclosed as part of voluntary disclosure. Taxpayer must remit all taxes (and interest) previously collected for all periods by taxpayer for the Illinois tax type being disclosed as part of taxpayer's voluntary disclosure with the Department. This includes periods beyond the four-year limitation for which the taxes were collected but not remitted. Failure to remit all taxes (and interest) previously collected for the Illinois tax type being disclosed will disqualify taxpayer from the relief provided under voluntary disclosure.
- d) Extensions. Taxpayer may request in writing, before the expiration of the 30-day period, an automatic 60-day extension in order to file its petition or tax returns or make payment. Taxpayer may request in writing, before the expiration of any extension, a further extension in order to file its petition or tax returns or make payment. The Board, in its discretion, may grant an additional extension where taxpayer's facts warrant a further extension of time in order to complete the requirements of the petition and voluntary disclosure. Taxpayer retains the right to audit taxpayer and verify accurate reporting. Taxpayer has made a good faith effort to accurately remit its tax liability under voluntary disclosure when taxpayer has made a reasonable and honest effort to calculate and report its correct tax

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

liability due and does not intentionally or purposefully misrepresent its tax liability to the Department. The Department shall retain the right to audit taxpayer for all open years of the voluntary disclosure period and assess all tax, penalty and interest that is owed by taxpayer. Taxpayer will not qualify for the relief provided under voluntary disclosure when the Department finds that taxpayer understated its final tax liability to the Board by 10% or more and taxpayer cannot demonstrate to the Department that a good faith effort was made to accurately report its liability for the voluntary disclosure period.

(Source: Added at 17 Ill. Reg. 8860, effective June 2, 1993)

Section 210-130 Departmental Controversies

- a) The Board may review other departmental controversies only:
 - 1) after a special finding concurred in by the entire Board that action by the Board is the most efficient and expeditious manner of resolving the controversy; or
 - 2) on the order of the Director of Revenue.
- b) Departmental controversies include cases that are currently pending in the Department's Administrative Hearings Division or in the Courts where both the Department's General Counsel and the taxpayer request that the Board take special jurisdiction of the case.

(Source: Amended at 17 Ill. Reg. 8860, effective June 2, 1993)

ILLINOIS REGISTER
DEPARTMENT OF REVENUE
NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Income Tax
- 2) Code Citation: 86 Ill. Adm. Code 100
- 3) Section Numbers: Adopted Action:
100.3100 Amendment
100.3400 Amendment
100.7010 Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 120, par. 14-1401 [35 ILCS 51401].
- 5) Effective Date of Amendment(s): June 2, 1993
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: June 2, 1993
- 9) Notice of Proposal Published in Illinois Register:
January 8, 1993, 17 Ill. Reg. 222
- 10) Has ICAR issued a Statement of Objections to these Amendments? No
- 11) Differences between proposal and final version: Pursuant to discussions with the staff of the Joint Committee on Administrative Rules, the following changes were made to the rulemaking:

The following changes were made in the Table of Contents:

1. Deleted the word "Emergency" after Sections 100.3100, 100.3400 and 100.7010;
2. changed the title of Section 100.5200 to "Time for Filing Returns: Individuals (ITA Section 505)", and
3. underlined the word "(Repealed)" in Section 100.9100.

In the Authority Note, the following changes were made:

1. Deleted ", as amended by P.A. 87-880)" after "1-101 et seq";
2. inserted a period after "et seq", and
3. inserted a period at the end of the Authority Section.

ILLINOIS REGISTER
DEPARTMENT OF REVENUE
NOTICE OF ADOPTED AMENDMENTS

In the main source note, the following changes were made:

1. Inserted the word "at" following "effective November 29, 1978";
2. inserted "amended at 14 Ill. Reg. 6810, effective April 19, 1990," after "effective March 8, 1990," and
3. changed "amendments" to "amendment" before "at 17 Ill. Reg. 473".

The following changes were made to the test of the rulemaking:

1. Subsections 100.3100(e), 100.3400(a)(3)(A) and 100.7010(a)(1)(D), to insert "persons who are members of professional sports teams that are" following "December 31, 1992, for" and after "tax liability on".
2. Subsection 100.3100(e)(1), deleted "managers and coaches".
3. Changed Subsection 100.3100(e)(2) to Subsection (e)(3).
4. End Subsection 100.3100(e)(1) with "player is chosen to participate".
5. Inserted "In the case of a travel day, only days in which the player, manager, coach and other full time traveling personnel spends at least 8 hours in this State will be considered a duty day," as the second sentence in Subsection 100.3100(e)(2).
6. In Subsection 100.3100(e)(3), deleted "shall also be calculated in the manner set forth in subsection (e)(1) above," and added "will include all days in the calendar year".
7. In Subsection 100.3100(f)(1), inserted a period after "Las Vegas".
8. Before Section 100.7010, deleted "SUBPART D: INCOME TAX WITHHOLDING".
9. In Subsection 100.7010(a)(1), inserted the following after the first sentence:

"Illinois will recognize reciprocal withholding exemption agreements for those individuals subject to withholding by virtue of P.A. 87-880, to the extent that the state of residence of the team, by which they are employed recognizes the reciprocal withholding exemption agreement

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

with respect to individuals employed by teams with Illinois residence."

10. In Subsection 100.7010(a)(1)(C), inserted "a" after "or if there is not".
11. In Subsection 100.7010(c)(3), deleted comma after "state is".
Pursuant to the request of the Administrative Code Division of the Secretary of State, the following changes were made:
 - 1) In the Table of Contents, the parenthetical "(Repealed)" was added at the end of Sections 100.7550 through 100.7800.
 - 2) In the main Authority note, the following references to the Illinois Compiled Statutes were added after the references to the Illinois Revised Statutes "[35 ILCS 5/101 et seq.]" and "[35 ILCS 5/1401]".
 - 3) In the main Source note we inserted the effective date "June 26, 1989" in the entry "amended at 13 Ill. Reg. 10952, effective June 1989".
 - 4) In Section 100.3100(f)(3) the phrase "subsection (f)(2) above" was inserted after the word "in" in line 1.
 - 5) A citation to "[320 ILCS 405/100 et seq.]" was added after the citation to the Illinois Revised Statutes for the Unemployment Compensation Act in Section 100.3400(a)(1).
 - 6) In Section 100.3400(a)(2) line 7, the word "above" was added after "subsection (a)(1)(B)", and in line 12 the phrase "subparagraph (1)" is stricken and replaced with "subsection (a)(1) above".
 - 7) In Section 100.3400(a)(3) line 1, the word "above" was added after "subsection (a)(1)(A)".
 - 8) In Section 100.3400(b)(1) line 15, the word "above" was added after "(a)".
 - 9) In Section 100.3400(b)(2)(A) line 14, the word "above" was added after "subsection (a)".
 - 10) In Section 100.3400(b)(2)(C), last line, the word "above" was added after "subsection (a)".
 - 11) In Section 100.3400(c)(1), line 15, the word "above" was added after "subsections (a) and (b)".

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

- 12) In Section 100.3400(c)(3)(B), last line, the word "above" was added after "Section 302(a)".
 - 13) A citation to "[320 ILCS 405/100 et seq.]" was added after the citation to the Illinois Revised Statutes for the Unemployment Compensation Act in Section 100.7010(a)(1).
 - 14) In Section 100.7010(a)(2), line 7 the word "above" was added after "subsection (a)(1)(A)".
 - 15) In Section 100.7010(b) line 2 the word "above" was added after "subsection (a)(1)(C)".
 - 16) In Section 100.7010(c)(1) line 3, the word "above" was added after "subsections (a)(1)(A) and (B)".
 - 17) In Section 100.7010(c)(2) line 4, the word "above" was added after "subsection (a)(1)(B)".
 - 18) In Section 100.7010(c)(4)(C) line 10, the word "above" was added after "subsection (a)(2)", in the next to last line of this Section the word "above" was added after "subsection (b)" and in the last line of the section the word "above" was added as the last word of the Section.
 - 19) In Section 100.7010(g)(1) line 13, the word "above" was added after "subsection (a)".
 - 20) In Section 100.7010(g)(2) line 1, the word "above" was added after "subsection (g)(1)" and the word subsection was underlined to show that it is new language.
 - 12) Have all the changes agreed upon by the agency and ICAR been made as indicated in the agreement letter issued by ICAR? Yes
 - 13) Will this amendment replace an emergency amendment currently in effect? Yes
 - 14) Are there any amendments pending on this Part? Yes
- | Section Numbers | Proposed Action | IL Register Citation |
|-----------------|-----------------|----------------------|
| 100.9005 | Amendment | 17 Ill. Reg. 6945 |
- 15) Summary and Purpose of Amendment(s): This rulemaking provides that for residents of states that impose a comparable tax liability on residents of this State, in the case of persons who perform personal services under personal service contracts for sports performances, services by

DEPARTMENT OF REVENUE

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENT(S)

that person at a sporting event taking place in Illinois shall be deemed to be a performance entirely within this State. The rules provide that such income is compensation income and is allocated to Illinois under Section 100.3400 of the Department's rules on the basis of duty days. Duty days are days during any part of which the person is under a duty to perform personal services under the terms of his or her personal services contract. The rulemaking provides that duty days in Illinois shall equal one day for each duty day during any part of which the employee is physically present in Illinois. The amount of income constituting compensation paid in this State to such person shall be determined by multiplying the person's total compensation for performing such personal services by a fraction, the numerator of which contains the total number of duty days and the denominator of which is the number of duty days in Illinois during the taxable year.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Constance W. Beard
Manager
Illinois Department of Revenue
Income Tax Legal Services Bureau
101 West Jefferson
Springfield, Illinois 62794
Phone: (217) 782-7054

The full text of the Adopted Amendment begins on the next page:

TITLE 86: REVENUE
CHAPTER 1: DEPARTMENT OF REVENUEPART 100
INCOME TAX

SUBPART A: TAX IMPOSED

Section 100.2000	Personal Property Tax Replacement Income Tax (hereinafter PPRPIT) for Taxable Years Beginning Prior to July 1, 1979, and Ending After June 30, 1979 - Specific Accounting - In General (117A Section 201) (Repealed)
100.2050	Personal Property Tax Replacement Income Tax (PPRPT) for Taxable Years Beginning Prior to July 1, 1979, and Ending After June 30, 1979 - Specific Accounting - Carryover Items (117A Section 201) (Repealed)
100.2100	Personal Property Tax Replacement Income Tax (PPRPT) for Taxable Years Beginning Prior to July 1, 1979, and Ending After June 30, 1979 - Specific Accounting - Carryback Items (117A Section 201) (Repealed)
100.2150	Personal Property Tax Replacement Income Tax (PPRPT) for Taxable Years Beginning Prior to July 1, 1979, and Ending After June 30, 1979 - Specific Accounting - Partnership Income (117A Section 201) (Repealed)
100.2200	Personal Property Tax Replacement Income Tax (PPRPT) for Taxable Years Beginning Prior to July 1, 1979, and Ending After June 30, 1979 - Specific Accounting - Long Term Contracts Reported on the Completed Contract Method (117A Section 201) (Repealed)
100.2250	Personal Property Tax Replacement Income Tax (PPRPT) for Taxable Years Beginning Prior to January 1, 1981, and Ending After December 31, 1980 - Specific Accounting - In General (117A Section 201) (Repealed)
100.2300	Personal Property Tax Replacement Income Tax (PPRPT) for Taxable Years Beginning Prior to January 1, 1981, and Ending After December 31, 1980 - Specific Accounting - Carryover Items (117A Section 201) (Repealed)
100.2350	Personal Property Tax Replacement Income Tax (PPRPT) for Taxable Years Beginning Prior to January 1, 1981, and Ending After December 31, 1980 - Specific Accounting - Carryback Items (117A Section 201) (Repealed)
100.2400	Personal Property Tax Replacement Income Tax (PPRPT) for Taxable Years Beginning Prior to January 1, 1981, and Ending After December 31, 1980 - Specific Accounting - Partnership Income (117A Section 201) (Repealed)
100.2450	Personal Property Tax Replacement Income Tax (PPRPT) for Taxable Years Beginning Prior to January 1, 1981, and Ending After December 31, 1980 - Specific Accounting - Long Term Contracts Reported on the

NOTICE OF ADOPTED AMENDMENT(S)

100.2500	Completed Contract Method (ITPA Section 201) (Repealed)
100.2500	Scope of 86 Ill. Adm. Code 100.2000 through 100.2450 (Repealed)
100.2500	Net Income (ITPA Section 202)
100.2500	Illinois Net Loss Deduction for Losses Occurring on or After December 31, 1986 (ITPA Section 202)
100.2501	Carried Forward of 111.2111 Net Loss Deduction for Losses Occurring on or After December 31, 1986 (ITPA Section 202)
100.2502	Determination of the Amount of Illinois Net Loss for Losses Occurring on or After December 31, 1986
100.2503	Illinois Net Loss Carrybacks and Net Loss Carryovers for Losses Occurring on or After December 31, 1986
100.2504	Illinois Net Losses and Illinois Net Loss Deductions for Losses Occurring on or After December 31, 1986, of Corporations that are Members of a Unitary Business Group: Separate Unitary Versus Combined Unitary Returns
100.2505	Illinois Net Losses and Illinois Net Loss Deductions for Losses Occurring on or After December 31, 1986, of Corporations that are Members of a Unitary Business Group: Changes in Membership
100.2600	Special Transitional Rules (ITPA Section 202) (Repealed)
100.2650	Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group (ITPA Section 202) - Scope
100.2675	Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group (ITPA Section 202) - Definitions
100.2700	Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group (ITPA Section 202) - Current Net Operating Losses: Offsets Between Members
100.2750	Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group (ITPA Section 202) Carrybacks and Carryforwards
100.2800	Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group (ITPA Section 202) - Effect of Combined Net Operating Loss in Computing Illinois Base Income
100.2850	Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group (ITPA Section 202) - Deadline for Filing Claims Based on Net Operating Losses Carried Back Prior to a Combined Apportionment Year
100.2900	Investment Tax Credits
100.2950	Capital Gain Income of Estates and Trusts Paid to or for Beneficiaries Set Aside for Charity

SUBPART B: ALLOCATION AND APPORTIONMENT OF BASE INCOME:

Terms Used in Article 3 (ITPA Section 301)

NOTICE OF ADOPTED AMENDMENT(S)

100.3050	Business and Nondusiness Income (ITPA Section 301)
100.3100	Charitable Deduction (ITPA Section 302)
100.3150	State Income Tax (ITPA Section 302)
100.3200	Availability in Other States (ITPA Section 303)
100.3250	Resident (ITPA Section 301)
100.3300	Commercial domicile (ITPA Section 303)
100.3350	Allocation of Apportionment of Base Income (ITPA Section 304)
100.3400	Allocation of Compensation Paid to Nonresidents (ITPA Section 302)
100.3450	Allocation of Certain Items of Nondusiness Income by Persons Other than Residents (ITPA Section 303)
100.3500	Business Income of Persons Other than Residents (ITPA Section 304) - In General
100.3510	Business Income of Persons Other than Residents (ITPA Section 304) - Apportionment
100.3520	Business Income of Persons Other than Residents (ITPA Section 304) - Allocation
100.3530	Business Income of Persons Other than Residents (ITPA Section 304)
100.3550	Property Factor (ITPA Section 304)
100.3600	Payroll Factor (ITPA Section 304)
100.3650	Sales Factor (ITPA Section 304)
100.3700	Special Rules (ITPA Section 304)

SUBPART C: RECOURS, RETURNS AND NOTICES

Section	Time for Filing Returns: Individuals (ITPA Section 505)
100.5200	Time for Filing Returns: Corporations (ITPA Section 505) (Repealed)
100.5250	Time for Filing Returns: Corporations (ITPA Section 505) (Repealed)
100.5300	Time for Filing Returns: Partnerships (ITPA Section 505) (Repealed)
100.5350	Time for Filing Returns: Estates and Trusts (ITPA Section 505) (Repealed)
100.5400	Practical Filing Returns: All Taxpayers (ITPA Section 505)
100.5450	Practical Filing Returns: All Taxpayers (ITPA Section 505)
100.5500	Extensions of Time for Filing Returns: All Taxpayers (ITPA Section 505)
100.5550	Short Year Return of Newly Acquired Subsidiaries (ITPA Section 505) (Repealed)
100.5600	Taxpayer's Notification to the Department of Certain Federal Changes Arising in Federal Consolidated Return Years, and Arising in Certain Loss Carryback Years (ITPA Section 506)
100.5700	Composite Returns: Eligibility
100.5702	Composite Returns: Responsibilities of Authorized Agent
100.5704	Composite Returns: Individual Liability
100.5706	Composite Returns: Required Forms and Computation of Income
100.5708	Composite Returns: Estimated Payments
100.5710	Composite Returns: Tax, Penalties and Interest
100.5712	Composite Returns: Credit for Resident Individuals
100.5714	Composite Returns: Definition of a "Lloyd's Plan of Operation"
100.6000	Election to File a Combined Return
100.6010	Procedure for Making the Election

ILLINOIS REGISTER
DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

Designated Agent for the Members
Combined Estimated Tax Payments
Claims for Credit of Overpayments
Liability for Combined Tax, Penalty and Interest
Combined Amended Returns
Computation of Combined Income and Tax
Definitions and Miscellaneous Provisions Relating to Combined Returns

SUBPART D: INCOME TAX WITHHOLDINGS

Section
100-7000 Requirement of Withholding (ITPA Section 701)
100-7010 Compensation Paid in this State (ITPA Section 701)
100-7020 Transacting Business Within this State (ITPA Section 701)
100-7030 Payments to Residents (ITPA Section 701)
100-7040 Employer Registration Withholding (ITPA Section 701)
100-7050 Additional Withholding (ITPA Section 701)
100-7060 Voluntary Withholding (ITPA Section 701)
100-7070 Correction of Underwithholding or Overwithholding (ITPA Section 701)
100-7080 Reciprocal Agreement (ITPA Section 701)
100-7090 Cross References
100-7100 Withholding Exemption Certificate (ITPA Section 702)
100-7200 Exempt Withholding Under Reciprocal Agreements (ITPA Section 702)
100-7250 Reports for Employee (ITPA Section 703)
100-7300 Returns for Employee Filed on Annual Basis (ITPA Section 704)
100-7350 Quarterly Returns Filed on Annual Basis (ITPA Section 704)
100-7400 Time for Filing Returns (ITPA Section 704)
100-7450 Payment of Tax Deducted and Withheld (ITPA Section 704)
100-7500 Correction of Underwithholding or Overwithholding (ITPA Section 704)
100-7510 Requirement of Withholding - Personal Service Contracts (ITPA Section 704)
100-7550 Section 704 (Repealed)
100-7560 Contracts Indemnifiable as to Amount (ITPA Section 708) (Repealed)
100-7570 Series of Identical Contracts (ITPA Section 708) (Repealed)
100-7580 Personal Service Contract (ITPA Section 708) (Repealed)
100-7590 Presence Necessitated (ITPA Section 708) (Repealed)
100-7600 Certification of Residence (ITPA Section 708) (Repealed)
100-7610 Identities Specified in the Contract (ITPA Section 708) (Repealed)
100-7620 Net Amount (ITPA Section 708) (Repealed)
100-7630 Correction of Underwithholding or Overwithholding (ITPA Section 708) (Repealed)
100-7640 Requirement of Withholding - Prizes and Awards (ITPA Section 709) (Repealed)
100-7650 Prizes (ITPA Section 709) (Repealed)
100-7700 Non-Cash Prizes (ITPA Section 709) (Repealed)
100-7750 Certification of Residence (ITPA Section 709) (Repealed)
100-7800 Relative Performance (ITPA Section 709) (Repealed)

ILLINOIS REGISTER
DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

SUBPART E: DECLARATION AND PAYMENT OF ESTIMATED TAX

Section
100-8300 Penalty for Underpayments of Estimated Tax - Exception for Payments Based on Prior Year's Liability - Rule for a Taxable Year - Following the Taxable Year in which the Personal Property Tax Replacement Income Tax (PPRPT) Became Effective - Corporate Taxpayers (ITPA Section 802) (Repealed)
100-8400 Penalty for Underpayment of Estimated Tax - Exception for Payments Based on Prior Year's Facts - Change in the Personal Property Tax Replacement Income Tax (PPRPT) Rate for Corporations on January 1, 1981 (ITPA Section 802) (Repealed)

SUBPART F: STATEMENT OF PROCEDURAL RULES

Section
100-9000 Introduction
100-9005 Letter Ruling Procedures
100-9010 General Income Tax Procedures (ITPA Section 901)
100-9020 Taxpayer Representation and Practice Requirements
100-9030 Collection Authority (ITPA Section 901)
100-9040 Notice and Demand (ITPA Section 902)
100-9050 Assessment (ITPA Section 902)
100-9060 Application of Tax Payments Within Unitary Business Groups (ITPA Section 903)
100-9070 Limitations on Notices of Deficiency (ITPA Section 905)
100-9080 Further Notices of Deficiency Restricted (ITPA Section 906)
100-9090 Waiver of Restrictions on Assessments (ITPA Section 907)
100-9100 Procedure on Protest (ITPA Section 908) (Repealed)
100-9110 Credits and Refunds (ITPA Section 909)
100-9120 Procedure on Denial of Claim for Refund (ITPA Section 910) (Repealed)
100-9130 Limitations on Claims for Refund (ITPA Section 911)
100-9140 Recovery of Erroneous Refund (ITPA Section 912)
100-9150 Access to Books and Records (ITPA Section 914)
100-9200 Conduct of Investigations and Hearings (ITPA Section 914)

SUBPART G: JUDICIAL REVIEW

Section
100-9805 Administrative Review Law (ITPA Section 1201)

SUBPART H: DEFINITIONS AND RULES OF INTERPRETATION

Section
100-9900 Unitary Business Group Defined (ITPA Section 1501)
APPENDIX A BUSINESS INCOME OF PERSONS OTHER THAN RESIDENTS

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

TABLE A
Example of Unitary Business Apportionment
TABLE B
Members Using Three-Factor and Single-Factor Formulas

AUTHORITY: Implementing the Illinois Income Tax Act (111. Rev. Stat. 1991, ch. 120, par. 1-101 et seq.) [35 ICS 5/101 et seq.] and authorized by Section 1401 of the Illinois Income Tax Act (111. Rev. Stat. 1991, ch. 120, par. 14-1401) [35 ICS 5/1401].

SOURCE: Filed July 14, 1971, effective July 24, 1971; amended at 2 111. Reg. 49 p. 84, effective November 29, 1978; amended at 5 111. Reg. 813, effective January 7, 1981; amended at 5 111. Reg. 4617, effective April 14, 1981; amended at 5 111. Reg. 4642, effective April 14, 1981; amended at 5 111. Reg. 5537, effective May 7, 1981; amended at 5 111. Reg. 5/05, effective May 20, 1981; amended at 5 111. Reg. 5883, effective May 20, 1981; amended at 5 111. Reg. 6843, effective June 16, 1981; amended at 5 111. Reg. 13244, effective November 13, 1981; amended at 5 111. Reg. 13278, effective November 30, 1981; amended at 6 111. Reg. 379, effective December 29, 1981; amended at 6 111. Reg. 9701, effective July 26, 1982; amended at 7 111. Reg. 39, effective December 28, 1982; amended at 7 111. Reg. 19747, amended at 9 111. Reg. 19966, effective October 1, 1985; amended at 11 111. Reg. 6843, effective November 13, 1985; amended at 10 111. Reg. 7913, effective April 28, 1986; amended at 10 111. Reg. 19512, effective November 3, 1986; amended at 10 111. Reg. 21941, effective December 15, 1986; amended at 11 111. Reg. 831, effective December 24, 1986; amended at 11 111. Reg. 2450, effective January 20, 1987; amended at 11 111. Reg. 12410, effective July 8, 1987; amended at 11 111. Reg. 17782, effective October 16, 1987; amended at 12 111. Reg. 4665, effective February 25, 1988; amended at 12 111. Reg. 6748, effective March 25, 1988; amended at 12 111. Reg. 11766, effective July 1, 1988; amended at 12 111. Reg. 14307, effective August 29, 1988; amended at 13 111. Reg. 8917, effective May 30, 1989; amended at 13 111. Reg. 10952, effective June 26, 1989; amended at 14 111. Reg. 4558, effective March 8, 1990; amended at 14 111. Reg. 6810, effective April 19, 1990; amended at 14 111. Reg. 10082, effective June 7, 1990; amended at 14 111. Reg. 16012, effective September 17, 1990; emergency amendment at 17 111. Reg. 473, effective December 22, 1992, for a maximum of 150 days; amended at 17 111. Reg. 8869, effective June 2, 1993.

SUBPART B: ALLOCATION AND APPORTIONMENT OF BASE INCOME

Section 100.3100 Compensation (111A Section 302)

a) General definition:

Compensation is defined in 111A Section 1502(a)(3) to mean wages, salaries, commissions and any other form of remuneration paid to the employees for personal services. The term is thus comparable to the term "wages" as used in 26 U.S.C. Section 3401(a), except that the exception as to other forms of remuneration is applicable for purposes of the Act. See 46-111A-4. See Section 100.7000 for definition of compensation subject to withholding.)

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

- b) Employee— Compensation is defined as remuneration for personal services performed by an "employee". If the employer-employee relationship does not exist, remuneration for services performed does not constitute "compensation". The term "employee" includes every individual performing services if the relationship between him and the employer or persons such as a spouse is the legal relationship of employer and employee. This term has the same meaning under the Illinois Income Tax Act as under 26 U.S.C. Section 3401(c) and 26 CFR 31.3401(c)-1.
- c) Types of compensation— The name by which remuneration for services is designated is immaterial. Thus, salaries, fees, bonuses, commissions on sales or insurance premiums, and pensions and retired pay are compensation within the meaning of the statute if paid for services performed by an employee for his employer.
- d) Past services— Remuneration for personal services constitutes compensation even though at the time paid the relationship of employer and employee no longer exists between the person in whose employ the services were performed and the individual who performed them, so long as such relationship existed when the services were rendered.
- e) Duty days—

Beginning with taxable years ending on or after December 31, 1992, for persons who are members of professional sports teams that are residents of states that impose a comparable tax liability on persons who are members of professional sports teams that are residents of this State . . . in the case of persons who perform personal services under personal service contracts for sports performances, services by that person at a sporting event taking place in Illinois shall be deemed to be a performance entirely within this State. (111A Section 302(a)(2)(B)). Such income is compensation income and is allocated to Illinois under Section 100.3100 on the basis of duty days. Duty days are days during any part of which the person is under a duty to perform personal services under the terms of his or her personal services contract.

- 1) The total duty days shall include all days from the beginning of the official pre-season training period through the last game in which the player competes. If a player is involved in post-season games, duty days include all days through the last post-season game in which the player participates. Post-season games are any play-off games in which the player participates. Also included in post-season games are any all star games in which the player is chosen to participate.
- 2) Duty days include off days, practice days and travel days. In the case of a travel day, only days in which the player, manager, coach and other full time traveling personnel spends at least 8 hours in this State will be considered a duty day. Duty days for any person who joins a team or leaves a team during the season

ILLINOIS REGISTER
DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

- shall begin or end on the day such person becomes a member of a team or ceases to be a member of a team.
- 3) For trainees and other full time traveling employees, total duty days will include all days in the calendar year.
 - 4) Duty days in Illinois shall equal one (1) day for each duty day during any part of which the employee is physically present in Illinois.

*f) Examples

86-1111-Adm-Code-100-7020 The standards set forth in this Section may be illustrated, in part, by the following examples:

- 1) Example-1-A is a salesman for B corporation. B conducts a selling contest among its salesmen, first prize being a two-week vacation in Las Vegas. A is the winner of the contest and is awarded the vacation. The fair market value of the trip constitutes compensation.
- 2) Example-2-C is employed by D corporation during the month of January 1970 and is entitled to receive remuneration of \$100 for services performed during the month of January 31, 1970. On February 15, 1970 when C is no longer an employee of D, D pays C the remuneration of \$100 for services performed in January. The \$100 is compensation.
- 3) Example-3--The facts are the same as in Example subsection (f)(2) above except that C is discharged by D at the end of January. In addition to the \$100 earned by C for services performed in January, D pays C \$50 severance pay. The \$50 constitutes compensation.

(Source: Amended at 17 Ill. Reg. 8869, effective June 2, 1993)

Section 100.3400 Allocation of Compensation Paid to Nonresidents (117A Section 302)

- a) In general-
 - 1) In order for items of compensation paid to an individual who is a nonresident of Illinois at the time of payment to be allocated to Illinois, such compensation must constitute "compensation paid in Illinois." If the test is met, then all items of such compensation, and all items of deduction directly allocable thereto, are allocated to 117A Section 301(4)(2), as to which (see paragraph subsection (c) below) the allocation is made. The compensation which is allocated to Illinois, entered into the computation of such individual's net income under 117A Section 202 and is generally subject to withholding under 117A Section 701 (see 86-1111-Adm-Code Sections 100.7100, 100.7010, and 100.7020). The tests for determining whether compensation is paid in Illinois appear in 117A Section 301(2)(B) and are

ILLINOIS REGISTER
DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

substantially the same as those used to define "employment" in the Illinois Unemployment Compensation Act (Ill. Rev. Stat. 1991, ch. 48, par. 300 et seq.) [820 ICS 405/100 et. seq.] (and similar unemployment compensation acts of other states). Compensation is paid in Illinois if:

- A) The individual's service is localized in Illinois because it is performed entirely within Illinois;
- B) The individual's service is localized in Illinois although it is performed both within and without Illinois, because the service performed without Illinois is incidental to the individual's service performed within Illinois; or
- C) The individual's service is not localized in any state but some of the service is performed within Illinois and either
 - i) the base of operations, or if there is no base of operations, the place from which the service is directed or controlled is within Illinois; or
 - ii) the service is directed or controlled by the plaintiff, in which some part of the service is performed, but the individual's residence is in Illinois.

- 2) The foregoing rules are to be applied in such manner that if they were in effect in other states an item of compensation would constitute compensation "paid in" only one state. Thus, if an item other than these rules, constitute compensation paid in a state other than Illinois because the individual's service was localized in such other state under test subsection (a)(1)(B) above, it could not also be compensation paid in Illinois. Pursuant to 50 U.S.C. 574, compensation for military or naval service paid to a nonresident does not constitute "compensation paid in" Illinois even though it meets the tests set forth in subparagraph subsection (a)(1) above. For further discussion of these tests, see 86-1111-Adm-Code Section 100.7010(a), (d), (e) and (f), dealing with withholding.

- 3) Personal services under personal service contracts for sports performance

A) For purposes of subsection (a)(1)(A) above, beginning with taxable years ending on or after December 31, 1992, for all persons who are members of professional sports teams that are residents of states that impose a comparable tax liability on all persons who are members of professional sports teams that are residents of Illinois, the case of persons performing services under such contracts shall be treated as if the person at sporting event taking place in Illinois shall be deemed to be a performer entirely within this State (117A Section 301(2)(B)). The amount of income constituting compensation paid in this State to such person shall be determined by multiplying the person's total compensation for performing such personal services by a

NOTICE OF ADOPTED AMENDMENT(S)

fraction, the denominator of which contains the total number of duty days and the numerator of which is the number of duty days in Illinois during the taxable year.

B) The income of persons who engage in sports performance in Illinois, but do not perform personal services under personal services contracts of employment, remaining apportionable to Illinois. Such income is business income, as defined by Section 1501(a)(1) of the Act and Section 100.3505(a). Also see IITA Section 303(a) and Section 100.3500(a).

b) Compensation paid for past service:

1) Where compensation is paid to a nonresident for past service, such compensation will, for the purpose of determining whether and to what extent such compensation is "paid in" Illinois and is allocated to Illinois under IITA Section 302(a), be presumed to have been earned ratably over the employee's last 5 years of service with the employer (or any predecessor or successor of the employer or a parent or subsidiary corporation of the employer), in the absence of clear and convincing evidence that such compensation is properly attributable to a different period of employment or that it was not earned ratably over the appropriate period of employment. Compensation earned in each past year will be deemed compensation paid in Illinois if the individual's service in such year met the tests set forth in paragraph Section (a) above. Compensation paid for past service under paragraph (a) above, under the terms of an agreement where the amount of compensation is unrelated to the amount of service being currently rendered. Amounts paid to nonresidents under deferred compensation agreements may be allocated to Illinois under IITA Section 302(a) in accordance with this paragraph notwithstanding the fact that amounts paid to nonresidents under such agreements will be deemed not to be compensation paid in Illinois for purposes of IITA Section 701 and will not be subject to withholding (see 86-IIR-Adm-Code Section 100.7010(g)).

2) 86-IIR-Adm-Code-189-3496(b) The standards detailed in the previous subsection may be illustrated by the following examples:

A) Example-A--A is a union member employed by B corporation as a factory worker. During the years 1965-1968, A was employed in B's factory in Illinois; in 1969, A worked in B's factory in State X. In 1970, as a result of union labor contract negotiations, A received a lump-sum payment of \$500 in lieu of a retroactive wage increase. A is at all times a resident of State X. Unless A establishes, by clear and convincing evidence, facts to support a different result, \$100 is deemed to have been earned in each of the 5 years 1965-1969. Further, \$400 is deemed to have been earned by service localized in Illinois and \$100 by service localized in State X (see paragraph Subsection (a) above). Therefore,

NOTICE OF ADOPTED AMENDMENT(S)

\$400 is allocable to Illinois under IITA Section 402(a). Example-B--The facts are the same as in Example-A) the previous example except that A is able to establish that the \$500 constituted a wage increase retroactive to July 1, 1969. In such case, no part of the \$500 is allocable to Illinois, in since it was earned by service in 1969 localized in State X.

C) Example-C--C is a corporate executive. On January 1, 1965, C entered into an agreement with D corporation under which he was to be employed by D in an executive capacity for a period of 5 years. Under the contract C is entitled to a stated annual salary and to additional compensation of \$10,000 for each year, the additional compensation to be credited to a bookkeeping reserve account and deferred, accumulated and paid in annual installments of \$5,000 on C's retirement beginning January 1, 1970. In the event of C's death prior to exhaustion of the account, the balance is to be paid to C's personal representative. C is required to render consultative services to D when called upon while a resident of Illinois. The \$5,000 is paid to C in 1965-1969, earned at the rate of \$1,000 in each of the years 1965-1969, since the amount paid is unrelated to C's current consultative services. Whether the \$1,000 earned in each such year is allocable to Illinois under IITA Section 302(a) must be determined by applying the tests set forth in paragraph subsection (a) above to each such year.

c) Exceptions to general allocation rules:

1) While "compensation" may include items of income taken into account by a nonresident employee under the provisions of 26 U.S.C. 401 through 425, such as, for example, amounts received by a beneficiary of an employee's trust (taxable to the employee under 26 U.S.C. 402, whether the trust is exempt or non-exempt from federal income tax), or income resulting from a disqualifying disposition of stock acquired pursuant to the exercise of a qualified stock option (taxable to the employee under 26 U.S.C. 421(b) above), such compensation is not allocated under IITA Section 302(a). Such compensation is allocated under the rules of IITA Section 301(b)(2)(A), i.e., is not allocated to Illinois, whereas compensation which is allocated pursuant to IITA Section 302(a) is allocated to Illinois, if "paid in" this State (see paragraphs subsections (a) and (b) above). Consequently, a nonresident claiming that compensation which would otherwise constitute compensation paid in Illinois should not be allocated to Illinois under IITA Section 301(b)(2)(A) must establish that such compensation was properly taken into account by such individual under the provisions of 26 U.S.C. 401 through 425.

2) Reciprocal exemptions:

NOTICE OF ADOPTED AMENDMENT(S)

In any case wherein the Director has entered into an agreement with the taxing authorities of another state which imposes a tax on or measured by income to provide that compensation paid in such state to residents of Illinois shall be exempt from such tax, compensation paid in Illinois to residents of such state will not be allocated to Illinois.

3) Examples--66-111-Adm.-code-100-7090-401. The standards set forth in this section may be illustrated by the following examples:

A) Example--66-111-Adm.-code-100-7090-401. A resident of Illinois is located in State X, where he reaches retirement age, he begins receiving a pension from the exempt trust under B's qualified pension plan. For federal income tax purposes, A properly takes his payments into account under the provisions of 26 U.S.C. 402(a)(1). Accordingly, under IITA Section 301(b)(2)(A), A's payments are not allocated to Illinois.

B) Example--B--The facts are the same as in the previous example. Example--(A) except that B corporation does not fund its employees' pension benefits through the creation of a trust or the purchase of annuities, but pays retired employees each year out of corporate funds. For federal income tax purposes, A is required to take his payments into account under 26 U.S.C. 61(a), rather than under 26 U.S.C. 401 through 425. Accordingly, allocation of A's pension payments is governed by IITA Section 302(a) above (see paragraphs subsections (a) and (b) of this Section).

(Source: Amended at 17 Ill. Reg. 8869, effective June 2, 1993)

Section 100.7010 Compensation Paid in this State (IITA Section 701)

a) General rules:

- 1) Withholding is required with respect to "compensation paid in this State" -- but see 66-111-Adm.-code-100-7090-401-404 with regard to reciprocal withholding exemption agreements for employees residing in certain states. Illinois will recognize reciprocal withholding exemption agreements for those individuals subject to withholding by virtue of P.A. 87-880, to the extent that the state of residence of the team by which they are employed recognizes the reciprocal withholding exemption agreement with respect to individuals employed by teams with Illinois residence. The entire amount of such compensation is subject to withholding if withholding is required under 66-111-Adm.-code Section 100.7000. The tests for determining whether compensation is paid in this State appear in IITA Section 304(a)(2)(B) and are substantially the same as those used to define "employment" in the Illinois Unemployment Compensation Act (Ill. Rev. Stat. 1981-1991, ch. 48, par. 300 et seq.) [820 ILCS

NOTICE OF ADOPTED AMENDMENT(S)

405/100 et seq.] (and similar unemployment compensation acts of other states). Compensation is paid in this State if:

- A) The individual's service is localized in this State because it is performed entirely within this State;

- B) The individual's service is localized in this State although it is performed both within and without this State, because the service performed within this State is incidental to the individual's service performed within this State; or
- C) The individual's service is not localized in any state but some of the service is performed within this State and either: the base of operations, or if there is not a base of operations, the place from which the service is directed or controlled is within this State, or the base of operations of the place from which the service is directed or controlled is not in any state in which some part of the service is performed, but the individual's residence is in this State.

- D) For purposes of subsection (a)(1)(A), beginning with taxable years ending on or after December 31, 1992, for all persons who are members of professional sports teams that are residents of states that impose a comparable tax liability on all persons who are members of professional sports teams that are residents of this State, . . . in the case of persons who perform personal services under personal service contracts for sports performances, services by that person at a sporting event taking place in Illinois shall be deemed to be a performance entirely within this State. (IITA Section 301(a)(12)(B))

- 2) The foregoing rules are to be applied in such manner that, if they were in effect in other states, an item of compensation that would be treated as compensation paid in only one state. Thus, if an item would be treated as compensation paid in more than one state other than Illinois because the individual's service was localized in such other state under the test of subsection (a)(1)(A) above, it could not also be compensation paid in Illinois.

- b) Place of residence of employee
Except in the limited circumstance referred to in subparagraph subsection (a)(1)(C) above, paragraph (a), the place of residence of any employee is irrelevant to the determination of "compensation paid in this State", and is, therefore, irrelevant to the determination of whether withholding is required with respect to such employee. However, compensation paid to residents of a state with which Illinois has entered into a reciprocal agreement (see 66-111-Adm.-code Section 100.7090) is exempt from withholding.

- c) Localization tests
1) If compensation is paid in this State because the service is localized here under either of the tests set forth in subparagraphs subsection (a)(1)(A) and (B) above, paragraph (a),

NOTICE OF ADOPTED AMENDMENT(S)

no other factors need be considered. In such cases, the place of the base of operations, the place from which the service is directed or controlled, and the place of the individual's residence are all irrelevant. (But see 66-141-Adm-Code Section 100.7090.)

- 2) In determining whether an individual's service performed without this State is incidental to his service performed within this State for purposes of the test set forth in paragraph subsection (a)(1)(B) above-paragraph(f), the term "incidental" means any service which is necessary to or supportive of the primary service performed by the employee or which is temporary or transitory in nature or consists of isolated transactions. The incidental service referred to above may or may not be similar to the individual's normal occupation so long as it is performed within the same employer-employee relationship. That is, an individual who normally performs all of his service in this State may be sent by his employer to another state to perform service which is totally different in nature from his usual work or he may be sent to do similar work. So long as such service is temporary and consists entirely of isolated transactions, it will be considered to be incidental to his service performed within this State, and his entire compensation will be subject to withholding.
- 3) In some cases, it may be difficult to determine whether or not service performed in another state is incidental to service performed within this State. In any such case, the facts (including any contract of employment) should be carefully considered. In many instances, the contract of employment will provide a definite territorial assignment which will be prima facie evidence that the service is localized within such territory. However, the presence or absence of a contract of employment is but one fact to be considered. In every case, the ultimate determination to be made is whether the individual's service was intended to be made in fact principally performed within this State and whether any service which was performed in another state was of a temporary or transitory nature or arose out of special circumstances at infrequent intervals. The amount of time spent or the amount of service performed without this State should not be regarded as decisive, in itself, in determining whether such service is incidental to service performed within this State. For example, an individual normally performing service within this State might be sent on a special assignment to another state for a period of months. The service in the other state would nevertheless be incidental to service within this State if such special assignment were an isolated transaction.
- 4) Paragraph This Section may be illustrated by the following examples:

A) Example-A--A is a resident of State X and is a salesman for

NOTICE OF ADOPTED AMENDMENT(S)

the B corporation, located in State Y. A's base of operations is his home in State X and his service is controlled from State Y. All of A's customers are located in Illinois. A's compensation is subject to withholding even though he is a nonresident with a State X base of operations, who is directed from State Y, because all of his service is performed in Illinois.

B) Example-B--A is a resident of State X and a salesman for the B Corporation, located in State X. A's territory covers the northern part of Illinois. Sporadically, A is requested by B corporation to call on particular customers who are located in State X. The compensation for service which A performs in Illinois and State X is subject to withholding because the service performed in State X is incidental to the service performed in Illinois, since it consists of isolated transactions.

C) Example-C--The facts are the same as in the previous example Example-B except that A's regular territory covers several counties in Illinois and one or two towns in State X. A goes to the State X towns on a regular basis even though more than 95% of his time and sales are with customers in Illinois. The compensation for service which A performs in Illinois and State X is not localized in Illinois within the meaning of paragraph subsection (a)(2) above-paragraph(f) because the service performed in State X is regular and permanent in nature. Whether withholding is required must therefore be determined under paragraphs(f)-(g) of paragraph(e) subsection (b) above (see paragraphs(f)-(g) of paragraph(e) subsection (b) above).

D) Example-D--A works for B construction company in Chicago. Occasionally the company obtains a construction job in State X which may last from one to several weeks. A is sent by the company to supervise the construction jobs in State X. The compensation for the service A performs in Illinois and State X is subject to withholding because the service performed in State X, being temporary in nature, is incidental to the service which he performs in Illinois.

E) Example-E--A is a resident of Illinois and a buyer for a department store located in State X. Regular buying trips by A to Illinois are incidental to the service performed in State X because they are necessary to and supportive of A's primary duties which are localized in State X and not in Illinois. Compensation for the services which A performs in Illinois and State X is not subject to withholding, notwithstanding that A being a resident, is taxable in Illinois on such compensation under IRTA Sections 201 and 301(a).

d) Base of operations:

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

- 1) The localization tests are not applicable where an individual's employment normally or continually includes service within this State and also services without the State which are not "incidental" to the services performed within this State. In such case, if the individual's base of operations is within this State, his entire compensation will be subject to withholding, but if his base of operations is without this State, none of his compensation will be subject to withholding.
- 2) The term "base of operations" refers to the place or fixed center from which the individual's base of operations is conducted. It may be the individual's base of operations may be his business office (which may or may not be his home) or his contract of employment may specify a place at which the employee is to receive his directions and instructions. In the absence of more controlling factors, an individual's base of operations may be the place to which he has his business mail, supplies, and equipment sent or the place where he maintains his business records.
- 3) This Section paragraph may be illustrated by the following examples:

A) **Example-A**--A is a salesman for the B corporation located in Chicago. His territory includes Illinois, State X and State Y. A uses the corporation office in Chicago as a base of operations. The compensation for service performed by A is subject to withholding because the service is not localized in any of the three States in which it is performed, but part of the service is performed in Illinois and A's base of operations is in Illinois.

B) **Example-B**--A is a salesman for the B corporation located in Chicago. A lives in State X and his territory includes State X and part of Cook County, Illinois. A starts his sales calls from and returns to his home daily. He keeps a catalogue and copies of correspondence from customers at his home, and writes his sales reports there. About once a week he reports to his sales office in Chicago for consultation with decisions from the sales manager. Communications from customers to A are on letterhead bearing the name of the Chicago sales office. A's letters to customers are on letterhead bearing the name of the Chicago sales office and are sometimes typed by A at home and sometimes dictated by him to a stenographer when he is in the Chicago sales office. Correspondence to A and his paychecks are sometimes picked up by A in Chicago and otherwise are forwarded by the sales office to his home. The duties which A performs at home are sufficient to make his home his base of operations. A's compensation is therefore not subject to withholding because his base of operations is in State X, and part of his service is performed in that State.

C) **Example-C**--A, a resident of Illinois, sells products in Illinois, State X and State Y for B corporation, which is

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

located in State Z. A operates from his home, where he receives instructions from his employer, communications from his customers, etc. Once a year, A goes to State Z for a 10 day sales meeting. All of A's compensation is subject to withholding; the service is not localized in any state but part of the service is performed in Illinois and A's base of operations is his home in Illinois.

D) **Example-D**--A works for a company whose home office is in State X. A regional director working out of a branch office in Illinois, directs A's sales territory in Illinois and spends considerable time in State X. A's base of operations is the branch office in Illinois. Since he performs some service in Illinois and his base of operations is in Illinois, it is immaterial that his source of direction and control is in State X. All of A's compensation for service is subject to withholding.

E) **Example-E**--A, a resident of Illinois, is a salesman for the B corporation, which has its main office in State X. A works out of the main office and his territory is divided equally between State X and Illinois. A's compensation is not subject to withholding because his base of operations is in State X, and part of his service is performed in that State.

F) **Example-F**--A, an airplane pilot for B airline, lives in State X and regularly flies between Chicago and cities in other states. A does not have an office but reports to a flight operations office in Chicago which determines flight assignments for A and other pilots reporting to that office. A receives his paycheck and other company mail at the flight operations office in Chicago. A's base of operations is Illinois. He performs some service in Illinois and it is not "incidental" to service performed elsewhere. All of A's compensation for service is subject to withholding.

e) Place of direction or control:

- 1) The permanent place from which the employee's service is directed and controlled is not a determining factor in localization tests which are not subject to withholding if the localization tests are not applicable and it is impossible to determine the base of operation for such individual. In such a case, if both the place from which the individual's service is directed or controlled is within this State, and some of the service is performed within this State, then his entire compensation will be subject to withholding, but if not, none of his compensation will be subject to withholding. For example, a salesman's territory may be so indefinite and so widespread that he will not retain any fixed business office or address but will receive his orders or instructions by mail or wire wherever he may happen to be. In such case, the location of the permanent place from which direction and control is exercised must be determined.

DEPARTMENT OF REVENUE

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

NOTICE OF ADOPTED AMENDMENT(S)

2) **THIS-PARAGRAPH** The previous subsection may be illustrated by the following examples:

A) **Example--A--A**, a resident of State X, is employed as a salesman by B, a corporation with its main office in State X. B has a permanent branch office and sales supervisor in Cairo, Illinois. A was hired by the branch office and sells merchandise for B in Illinois and other neighboring states as directed by the branch office in telephone calls but he has no place which he uses as a base of operations. All of the compensation for service performed by A for B is subject to withholding because A's service is not localized in any of the states in which he operates and he has no base of operations, but part of his service is performed in Illinois and the place from which the service is directed is in Illinois.

B) **Example--B--A** is a salesman residing in State X, who works for a concern whose factory and selling office is in Chicago, Illinois. A's territory covers five states, including Illinois. He does not report, start from or return to the Chicago office or from his residence in State X. State X is the territory of another salesman. A does not have a base of operations but would be subject to withholding since part of his service is performed in Illinois and the place from which the service is directed is in Illinois.

C) **Example--C--A**, a contractor whose main office is in Illinois, is regularly engaged in road construction work in Illinois and State X. All operations are under direction of a general superintendent whose permanent office is in Illinois. Work in each state is directly supervised by field supervisors working from temporary field offices located in each of the two states. Each field supervisor has the power to hire and fire personnel; however, all requests for manpower must be cleared through the Illinois office. Employees report for work at the field offices. Time cards are sent weekly to the main office in Illinois where the payrolls are prepared. A is hired by a field supervisor in State X; he regularly performs service in both Illinois and State X. In such case, neither the localization nor the base-of-operations test would apply, but A's compensation would be subject to withholding. Part of A's services is performed in Illinois and his service is regarded as localized in Illinois because the permanent office from which basic direction and control emanates is the Illinois office.

f) When residence is important:

1) Residence is a factor in determining whether compensation paid to an individual is subject to withholding only when his service is not localized within some state; he performs no service in the

state in which he has his base of operations (if he has a base of operations); and he performs no service in the state from which his service is directed or controlled. In such case, if the individual is a resident of this State, and some of his service is performed within this State, his entire compensation will be subject to withholding. However, compensation paid to residents of a state with which Illinois has entered into a reciprocal agreement (see 86-111--Adm--Code Section 100-7090) is exempt from withholding.

2) **THIS-PARAGRAPH** Subsection (f)(1) above may be illustrated by the following examples:

A is a salesman employed by the B company located in State X. His services are directed and controlled from the State X office and he has no base of operations. A lives in Illinois but his territory includes State Y and State Z as well as Illinois. All of his wages are subject to withholding because no part of his service is performed in the state (State X) in which the place from which his services are directed is located, but part of his service is performed in Illinois and his residence is in Illinois.

9) **Deferred compensation:**

1) Under certain contractual unfunded deferred compensation agreements, payments are made by an employer to an employee for service rendered at an earlier date. In many such agreements, the employee receiving deferred compensation payments is not required to render any current service whatsoever, whereas others he may be required to hold himself available to render advisory and consultative service, if called upon to do so, and to refrain from competition, but in either case, the amount of compensation is unrelated to any service being currently rendered. Payments made under any such deferred compensation agreement will be deemed to meet the tests set forth in paragraph subsection (a) above for compensation paid in Illinois if paid to the individual while a resident of this State. Conversely, payments made under such an agreement will be deemed not to be compensation paid in this State and will not be subject to withholding if paid to the individual while a nonresident. Amounts paid to nonresidents under deferred compensation agreements may be allocated to Illinois under 117A Section 302(a) in accordance with 86-111--Adm--Code Section 100.340(b)(1) notwithstanding the fact that such amounts will be deemed not to be compensation paid in Illinois for purposes of 117A Section 701 and will not be subject to withholding.

2) **THIS-PARAGRAPH** Subsection (9)(1) above may be illustrated by the following examples:

A is an executive. On January 1, 1965, A entered into an agreement with B corporation under which he was to be employed by B in an executive capacity for a period of 5 years. Under the contract A is entitled to a stated annual salary and to

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

additional compensation to be credited to a bookkeeping reserve account and deferred, accumulated and paid in annual installments of \$5,000 on A's retirement beginning January 1, 1970. In the event of A's death prior to exhaustion of the account, the balance is to be paid to A's personal representative. A is not required to render any service to B after December 31, 1969. During 1970, A is paid \$5,000 while a resident of Illinois. This amount will be subject to withholding, because A's prior service will be deemed to have met one of the tests for compensation paid in Illinois.

(Source: Amended at 17 Ill. Reg. 8869, effective June 2, 1993)

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Savings Bank Act
- 2) Code Citation: 38 Ill. Adm. Code 1075
- 3)

<u>Section numbers</u>	<u>Adopted</u>	<u>Action</u>
1075.100	Amendment	
1075.1425	Amendment	
1075.1700	New Section	
1075.1710	New Section	
1075.1800	New Section	
1075.1805	New Section	
1075.1810	New Section	
1075.1815	New Section	
1075.1820	New Section	
1075.1825	New Section	
1075.1830	New Section	
1075.1835	New Section	
1075.1840	New Section	
1075.1845	New Section	
1075.1850	New Section	
1075.1855	New Section	
1075.1860	New Section	
1075.1865	New Section	
1075.1870	New Section	
1075.1875	New Section	
1075.1880	New Section	
1075.1885	New Section	
1075.1890	New Section	
1075.1895	New Section	
1075.1900	New Section	
1075.1905	New Section	
1075.1910	New Section	
1075.1915	New Section	
1075.1920	New Section	
1075.1925	New Section	
1075.1930	New Section	
1075.1935	New Section	
1075.1940	New Section	
1075.1945	New Section	
1075.1950	New Section	
1075.1955	New Section	
1075.1960	New Section	
1075.1965	New Section	
1075.1970	New Section	
1075.1975	New Section	
1075.1980	New Section	
1075.1985	New Section	

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

Section numbers	Adopted Action
1075.1990	New Section
1075.1995	New Section
1075.2000	New Section
1075.2005	New Section
1075.2010	New Section
1075.2015	New Section
1075.2020	New Section
1075.2025	New Section
1075.2030	New Section
1075.2035	New Section
1075.2040	New Section
1075.2045	New Section
1075.2050	New Section
1075.2055	New Section
1075.2060	New Section
1075.2065	New Section
1075.2070	New Section
1075.2075	New Section
1075.2080	New Section
1075.2085	New Section
1075.2090	New Section
1075.2095	New Section
1075.2100	New Section
1075.2105	New Section
1075.2110	New Section
1075.2115	New Section
1075.2120	New Section
1075.2125	New Section
1075.2130	New Section
1075.2135	New Section
1075.2140	New Section
1075.2145	New Section
1075.2150	New Section
1075.2155	New Section
1075.2160	New Section
1075.2165	New Section
1075.2170	New Section
1075.2175	New Section
1075.2180	New Section
1075.2185	New Section
1075.2190	New Section
1075.2195	New Section
1075.2200	New Section
1075.2205	New Section
1075.2210	New Section
1075.2215	New Section
1075.2220	New Section
1075.2225	New Section
1075.2230	New Section
1075.2235	New Section
1075.2240	New Section
1075.2245	New Section
1075.2250	New Section
1075.2255	New Section
1075.2260	New Section
1075.2265	New Section
1075.2270	New Section
1075.2275	New Section
1075.2280	New Section
1075.2285	New Section
1075.2290	New Section
1075.2295	New Section
1075.2300	New Section
1075.2305	New Section
1075.2310	New Section
1075.2315	New Section
1075.2320	New Section
1075.2325	New Section
1075.2330	New Section

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

Section numbers	Adopted Action
1075.2340	New Section
1075.2350	New Section
1075.2360	New Section
1075.2370	New Section
1075.2380	New Section
1075.2390	New Section
1075.2400	New Section
1075.2410	New Section
1075.2420	New Section
1075.2430	New Section
1075.2440	New Section
1075.2450	New Section
1075.2460	New Section
1075.2470	New Section
1075.2480	New Section
1075.2490	New Section
1075.2500	New Section
1075.2510	New Section
1075.2520	New Section
1075.2530	New Section
1075.2540	New Section
1075.2550	New Section
1075.2560	New Section
1075.2570	New Section
1075.2580	New Section

4) Statutory Authority: Implementing and authorized by the Savings Bank Act, (Ill. Rev. Stat., 1991, ch. 17, pars. 7301-1 et seq.) [205 ILCS 1001 et seq.].

5) Effective Date of Adopted Amendments: June 7, 1993.

6) Does this rulemaking contain an automatic repeal date: No.

7) Do the Amendments contain incorporations by reference: No.

8) Date Filed in Agency's Principal Office: February 11, 1993.

9) Date Notice of Proposed Amendments was published in Illinois Register: March 5, 1993, 17 Ill. Reg. 2727.

10) Has JCPR issued a Statement of Objections to this rule: No.

11) Differences between proposal and final version: Several differences exist between the proposed and final versions of these amendments. A summary of the differences is as follows:

Table of Contents:

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

Replaced "Industrywide" with "Industry wide" in Section 1075.1640.
In the Subpart N heading, deleted the "A" prior to "Control".

Section Differences

1075.100: Deleted reference to the Public Act number and effective date and replaced it with the proper legal citation in the opening paragraph.

Redesignated subsection (h) to (k) and inserted new language as subsections (h), (i), and (j).

1075.1425: Inserted new language as subsection (a); made the opening paragraph as subsection (i), and replaced "eligible depositors" with "members".

Added new language as subsection (a)(2).

Inserted new language as subsection (h) and redesignated language in subsection (h) to (i).

1075.1425: Redesignated subsection (h) as (i) and added new language as subsection (h).

1075.1700: Amended the heading of Subpart N, as well as in the Table of Contents, by deleting the word "a" between the words "of" and "control".

Replaced the words "a savings bank operating under the Act" in subsection (a)(1) with "a person"; and deleted everything after the first sentence of that subsection.

Added new language as subsection (a)(2); redesignated existing subsections (a)(2) and (3) as (a)(3) and (4); deleted existing subsection (a)(4); redefined definition of "person" in redesignated subsection (a)(4); and added subsection (a)(6).

Amended subsection (b) by replacing the words "related entity" in the second line with the words "savings bank holding company".

Replaced the word "for" in the fourth line of subsection (i)(3) with "in the best interests of".

Amended subsection (m) by deleting the words "or

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

affiliated person" in the third line; inserted a colon after the words "except that" in the ninth line; and inserted, immediately following the colon, new language as subsection (m)(1) and existing language as (m)(2).

Amended subsection (n) by adding the words "except as otherwise permitted in this subsection (n)" after the word "or" in the sixth line; and deleted the word "stock" in the twelfth line.

Deleted in subsection (o) the words "and the Bank Holding Companies and Change in Bank Control in the" in the sixth line; and inserted new language, "or pursuant to the...Section 574.11 et seq)" before the words "shall satisfy" in the eighth line.

Deleted " , pursuant to Section 1075.1810" at the end of the subsection; and added immediately after the word "subpart" a colon with additional new language.

1075.1800: Added, prior to the first word, "If" (changed "if" to "if"); "Notwithstanding the requirements of Section 1075.1800,".

1075.1815: Deleted in its entirety the definition of "Affiliate" and replaced it with a new definition.

Inserted after the words "stock ownership plan" in the third line of the definition of "Employee Stock Benefit Plan", the phrase "employee stock purchase plan,".

Deleted the word "term" in the first line of the definition of "Offer of Sale".

Redefined the definition of "person".

Deleted the word "term" in the first line of the definition of "Principal Underwriter".

Replaced the words "an affiliate" in the first line of the definition of "Subsidiary" with the words "a company".

Redefined the definition of "supplemental Eligible Account Holder".

Subsection (c) was amended by replacing the words "may

1075.1820

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

result" in the first line with the word "results"; replaced the word "unless" in the third line with "and"; and replaced the word "input" in the last line with the phrase "endanger the safety and soundness of".

Replaced the words "shall be" with "will not be either"; and immediately before the period at the end of subsection (e), added additional language.

1075.1825: Replaced the reference to "Section 1075.1915" in the last line to "Section 1075.1905".

1075.1835: Throughout subsection (a), deleted existing language and inserted new language.

Inserted additional language at the end of subsection (c).

Added after the word "bank" in the third line of subsection (d), the phrase "who are eligible account holders"; and inserted the word "such" in line seven between the words "among directors".

1075.1840: Replaced the words "affiliated persons" in the second line with the words "their associates".

1075.1845: Replaced "up" in line eight of subsection (a) with "ranging from one percent"; deleted immediately following the word "offering" in line nine, the language "or fifteen times.....eligible account holders"; added a comma and new language, "with each receiving subscription rights.....total amount of qualifying deposits" after the word "offering".

Added subsection (e).

1075.1850: In subsection (a), deleted "up to five percent or one-tenth of one percent of the total offering of shares" and replaced it with new language.

1075.1860: In subsection (b), "savings bank" in line two is replaced with "depository institution"; deleted the comma after the word "company" in line two; replaced "subsidiary of a savings bank holding company" with "depository institution"; deleted ending phrase "to eligible.....subscription offering" and inserted "during the subscription offering....of this Subpart"; and prior to the last sentence, inserted after the word "bank" additional language.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

1075.1885: In line 2, "or withdrawn" is inserted after the word "extended"; in line 3, "may be solicited....commissioner." is deleted; "and" is changed to "no". An additional sentence is added at the end of the Section.

1075.1890: Replaced in subsection (a), line 6, "of not less than three years" with "ranging one year to five years"; and added an additional sentence at the end of the subsection.

1075.1900: Amended by inserting after the word "or" in the introductory phrase the words "savings bank".

1075.1910: Replaced the word "Management" at the beginning of subsection (b) with "In addition to the subscription rights of employee stock benefit plans under subsection (a) above, management".

1075.1920: Changed, in subsection (b), the first word "the" to "them" and inserted prior to it the phrase "Except for loans to eligible account holders and supplemental eligible account holders that are fully secured by certificates of deposit with the converting savings bank of such account holders,".

1075.1925: Redesignated subsection (b) as (c); and added after subsection (a) new language as subsection (b).

In redesignated subsection (c), after the words "provided for under" added the phrase "subsection (b) above and"; replaced reference to Section 1075.1855 with Section 1075.1850; and replaced in the tenth line the word "each" with "such".

Redesignated existing subsections (c) through (h) as (d) through (i).

Reference to subsection (h) in redesignated subsection (d) was changed to "subsection (i)".

Deleted the comma, in line twelve of redesignated subsection (h), following the word "filled".

1075.1965: Deleted the word "either" in the fourth line of subsection (a).

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

In subsection (a)(1), deleted "approved by the Commissioner and made to all shareholders of such savings bank;" and replaced it with new language, including subsections (a)(1)(A), (B) and (C).

After the words "benefit plan" in subsection (a)(3), inserted the phrase "or a management recognition plan".

Subsection (b) and (b)(1), (2) and (3) was deleted and replaced with new language.

Designated the introductory paragraph as subsection (a); and redesignated subsections (a), (b) and (c) as subsection (b), (c) and (d).

Redesignated the sixth, seventh and eight sentences in subsection (c) as subsection (d).

Deleted only the language in the second sentence of the new subsection (d) and replaced it with new language.

1075.2070: Deleted the comma after the word "methodology" in the second line of subsection (c).

1075.2100: Deleted the word "escrow" in the eighth line.

1075.2150: At the end of the first sentence of subsection (a), prior to the word "Commissioner", inserted "of the"; and inserted additional language at the end of subsection (a).

1075.2155: In the introductory paragraph, added a comma after "1075.2140" and inserted "1075.2145".

1075.2165: In subsection (a), replaced "savings bank" in second line with "depository institution"; deleted "a subsidiary of a savings bank holding company" in line four and inserted "another depository institution"; in line eleven, inserted prior to the words "holding company" the words "depository institution"; and immediately following the words "holding company" inserted "or another depository institution".

1075.2170: The heading of this Section was revised, as well as in the Table of Contents, to include after the words "Capital Stock Savings Bank" the following, "-- Undercapitalized Mutual Savings Bank".

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

All of the language in this Section has been deleted with new language inserted.

1075.2310: In subsection (a), second line, replaced the word "to" with "or".

1075.2370: Corrected the spelling of "judgement" to the preferred way of "judgment" in subsection (c)(1) and (c)(1)(D)(1).

Throughout the entire set of proposed amendments numerous grammatical substantive changes were made, as well as citations were corrected to read properly.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR:

JCAR did not issue an "Agreement" letter. Their changes, which involved grammatical and correcting citation referrals where discussed verbally and all the changes agreed upon by the Agency and JCAR have been made.

13) Will these amendments replace emergency amendments currently in effect: No.

14) Are there any other proposed amendments pending on this Part: No.

15) Summary and Purpose of Rules:

The Illinois Savings Bank Act, (Ill. Rev. Stat., 1991, ch. 17, pars 7301-1 et seq.) (205 ILCS 205 1001 et seq.) authorizes the Commissioner to adopt rules and regulations necessary and proper for the administration of this Act. The proposed amendments represent the culmination of a comprehensive review by the Agency.

The Rules in this Part implement the Savings Bank Act which creates a fee schedule to fund the staff time necessary to review these extensive submissions. Fees were based on fee levels charged by similar thrift regulatory agencies to perform similar reviews and analyses.

Section 1075.1425 is amended to provide an exception for publicly traded or listed financial institutions. It allows them to schedule, call and hold only one stockholders' meeting to obtain approval of a plan of conversion to State savings

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

bank charter prior to submission of the plan to the Commissioner. Such institutions are said to incur greater expense in holding stockholders' meeting (because of the detailed notice and proxy requirements). The approval is required because the institution is proposing to convert to a different type of financial institution. Any substantive changes in the plan of conversion would trigger a second meeting.

Section 1075.1425 is also amended to clarify that the voting procedure applies to converting institutions chartered under Illinois law, and that a converting federal savings association or national bank is required to obtain member or stockholder approval in accordance with applicable provisions of federal law.

Subpart N has been added to prescribe the procedure by which a person or entity, with the Commissioner's approval, may gain control of a state savings bank. The Subpart also describes types of provisions related to the purchase and sale of capital stock that a state savings bank may wish the Commissioner's approval, include in its articles of incorporation.

Subpart O prescribes the procedure for converting a state savings bank from mutual form of ownership to stock form of ownership. It sets forth requirements related to: applications to convert; plan conversion; approval of a plan conversion; members and the Commissioner's liquidation, assets and subscriptions for the purchase, issuance, solicitation and ownership of capital stock. It also sets forth mutual to stock conversion requirements for savings banks that do not meet applicable capital requirements.

16) Information and questions regarding these Adopted Amendments shall be directed to:

Mr. Jay R. Stevenson, Deputy Commissioner
Office of the Commissioner of Savings and Residential Finance
(Formerly: Office of the Commissioner of Savings and Loan Associations)
500 East Monroe, Suite 800
Springfield, Illinois 62701-1509
217/782-6169

The full text of the Adopted Amendments begins on the next page.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

**TITLE 38: FINANCIAL INSTITUTIONS
CHAPTER VIII: COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE**

PART 1075

SAVINGS BANK ACT

SUBPART A: FILINGS

Filings
1075.100
Conditions
1075.110
Examination Fees
1075.120
Supervisory Fees
1075.130
Adjusted Supervisory Fees
1075.140

SUBPART B: DEFINITIONS

Definitions
1075.200

SUBPART C: REPORTS

Contracts
1075.300
Financial Reports
1075.310

SUBPART D: OPERATIONS

Section
1075.400
Capital Stock
1075.410
Minimum Capital Requirement
1075.415
Qualifying Federal Powers, Law and Regulations
1075.420
Advertising
1075.430
Maintenance of Records
1075.435
Business Plan
1075.440
Excess Insurance
1075.450
Vacancies in the Board of Directors
1075.455
Bond of Officers, Directors, Employees and Agents
1075.460
Indemnification of Officers, Directors, Employees and Agents
1075.465
Deceptively Similar Names
1075.470
Manner of Display of Annual Meeting Notice
1075.480
Procedures for Exercise of Dissenters Rights
1075.490

SUBPART E: INVESTMENTS

Section
1075.500
Prudent Person Rule
1075.505
Investment Underwriting Practice
1075.510
Discrimination and Redlining
1075.515
Loans Secured by Real Estate
1075.520
Construction Loans
1075.525
Mobile Home Financing

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

Section	
1075.530	Overdraft Loans
1075.535	Education Loans
1075.540	Vehicle/Automobile Loans
1075.545	Home Equity Loans
1075.550	Letter of Credit
1075.555	Other Investments
1075.560	Commercial Paper
1075.565	Financial Futures
1075.570	Financial Options
1075.575	Finance Leasing
1075.580	Suretyship
1075.585	Asset Reserves

SUBPART F: SERVICE CORPORATION

Section	
1075.600	Requirements
1075.610	Approval by the Commissioner
1075.620	Investment Limitations
1075.630	Investments by Service Corporations
1075.640	Ownership of Capital Stock of Service Corporation
1075.650	Prohibited Transactions
1075.660	Disclosure to Service Corporation
1075.670	Reporting Requirements
1075.680	Audit Requirements

SUBPART G: RELOCATIONS AND BRANCHING

Section	
1075.700	General
1075.710	Application
1075.715	Request for Preliminary Determination
1075.720	Protest Notice and Inspection
1075.725	Oral Argument
1075.730	Application for the Maintenance of Branch Office after Conversion, Consolidation, Purchase of Assets or Merger
1075.735	Redesignation of Offices
1075.740	Termination of Operation and/or Closing of a Branch Office
1075.745	Agency Offices
1075.750	Remote Drive-In and/or Remote Pedestrian Facilities

SUBPART H: CAPITAL NOTES AND DEBENTURES

Section	
1075.800	Approval
1075.810	Conversion to Stock
1075.820	Priority of Claim

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

SUBPART I: ADMINISTRATIVE HEARING PROCEDURES

Section	
1075.900	Applicability
1075.905	Definitions
1075.910	Early Neutral Evaluation
1075.915	Conference Adjudicative Hearing
1075.920	Filing
1075.925	Form of Documents
1075.930	Computation of Time
1075.935	Appearances
1075.940	Notice of Hearing
1075.945	Service of the Notice of Hearing
1075.950	Motion and Answer
1075.955	Consolidation and Severance of Matters-Additional Parties

Section	
1075.960	Intervention
1075.965	Postponement or Continuance of Hearing
1075.970	Authority of Hearing Officer
1075.975	Bias or Disqualification of Hearing Officer
1075.980	Prehearing Conferences
1075.985	Discovery
1075.990	Subpoenas
1075.995	Conduct of the Hearing
1075.1000	Default
1075.1005	Evidence
1075.1010	Official Notice
1075.1015	Hostile Witnesses
1075.1020	Transcription of Proceedings
1075.1025	Briefs
1075.1030	Hearing Officer's Findings, Opinions and Recommendations
1075.1035	Order of the Commissioner
1075.1040	Rehearing
1075.1045	Existing Statutory or Agency Procedures and Practices
1075.1050	Costs of Hearing
1075.1055	Emergency Adjudication

SUBPART J: SAVINGS BANK HOLDING COMPANIES

Section	
1075.1100	Applicability
1075.1105	Plain Meaning/Strict Interpretation
1075.1110	Affiliate
1075.1115	Assets
1075.1120	Books of Record
1075.1125	Capital Stock
1075.1130	Charter
1075.1135	Control
1075.1140	Eligible Account Holder

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

Section	Eligibility Record Date
1075.1145	Employee
1075.1150	Equity Security
1075.1155	Insured Institution
1075.1165	Member
1075.1175	Net Worth
1075.1175	Officer
1075.1180	Person
1075.1185	Qualifying Deposit
1075.1190	Sale
1075.1195	Security
1075.1200	Source Documents
1075.1205	Subsidiary
1075.1210	Liquidation Account and Proxies
1075.1215	Mutual Holding Company Ceasing to be a Depository Institution
1075.1220	Directors of a Mutual Holding Company
1075.1225	Stock Sales
1075.1230	Stock of a Subsidiary of a Mutual Holding Company
1075.1235	Stock Subsidiary Formation
1075.1240	Net Worth Maintenance Agreement
1075.1245	Members' Rights
1075.1250	Investment
1075.1255	Notice Requirement/Corrective Action
1075.1260	Insider Refusals
1075.1265	Out-of-State Acquisition
1075.1270	Disposal of a Subsidiary
1075.1275	Dividends
1075.1280	Officers and Directors List
1075.1285	Access to Books and Records
1075.1290	Annual Audit Requirements
1075.1295	Maintenance of Records
1075.1300	Notice of Appointment of Independent Accountants
1075.1305	Holding Company Filing Fees
1075.1310	Holding Company Supervisory Fees
1075.1315	Examination Fees
1075.1320	Conditions
1075.1325	Manner of Payment
SUBPART K: CONVERSION OF AN EXISTING DEPOSITORY INSTITUTION INTO AN ILLINOIS SAVINGS BANK	
Section	Scope of Rules
1075.1400	Definitions
1075.1405	General Rules for Conversion Plan
1075.1410	Adopting and Filing of a Conversion Plan
1075.1415	

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

Section	Conversion Plan Requirements
1075.1420	Vote by Shareholders and Delegates <u>Members</u>
1075.1425	Issuance of Certificate of Approval
1075.1430	Final Approval of the Conversion
1075.1435	Powers of Resulting Savings Bank
1075.1440	Obligations of Resulting Savings Bank
1075.1445	Directors of Resulting Savings Bank
1075.1450	
SUBPART L: SUPERVISION	
Section	Sale of Offices, Facilities and Equipment
1075.1500	Purchase of Offices
1075.1510	Bridge Charters
1075.1520	Unsafe and Unsound Practices
1075.1530	Failure to Comply with Report of Examination
1075.1540	Publication
1075.1550	
JBPART M: REMOVALS, SUSPENSIONS AND INDUSTRY WIDE/INDUSTRYWIDE PROHIBITION	
Section	Scope
1075.1600	Notice of Intention and Answer
1075.1610	Removal and Prohibition by Order
1075.1620	Suspension by Notice
1075.1630	Industry Wide/Industrywide Prohibition
1075.1640	Unauthorized Participation of Convicted Individual
1075.1650	
SUBPART N: ACQUISITION OF A CONTROL OF A SAVINGS BANK	
Section	Acquisition of Control of a Savings Bank
1075.1700	Anti-Takeover Provisions
1075.1710	
SUBPART O: CONVERSION OF MUTUAL SAVINGS BANK TO CAPITAL STOCK SAVINGS BANK	
Section	Subpart Exclusive -- Prohibition on Conversion Without Approval -- Waiver of Requirements
1075.1800	Forms
1075.1805	Request of Noncompliance Requirements
1075.1810	Definitions
1075.1815	Prohibition on Approval of Certain Applications for Conversion
1075.1820	Requirements of Plan of Conversion
1075.1825	Issuance of Capital Stock
1075.1830	Stock Purchase Subscription Price
1075.1835	Holders Purchase Subscription Rights -- Eligible Account
1075.1840	Stock Purchase Subscription Rights Received by Officers, Directors, and their Associates -- Subordination

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

Section	
1075.1845	Supplemental Share Purchase Subscription Rights --
1075.1850	Supplemental Eligible Account Holder -- Conditions
1075.1855	Voting Members Who Are Not Eligible Account Holders
1075.1860	Sale of Shares Not Sold in Subscription Offering --
	Methods -- Conditions
1075.1865	Uniform Sales Price of Shares Required -- Application
1075.1870	to Specific Arrangements on Sale of Shares Not Sold in
	Subscription Offering
1075.1875	Savings Account Holder to Receive Withdrawable Savings
	Account(s) -- Amount
1075.1880	Liquidation Account -- Establishment and Maintenance
	Required
1075.1885	Establishment of Eligibility Record Date Required
1075.1890	Voting Rights
1075.1895	Amendment and Termination of Plan of Conversion
1075.1900	Restriction on Sale of Shares of Stock by Directors and
	Officers
1075.1905	Conditions on Shares of Stock Subject to Restriction
	on Sale
1075.1910	Restatement of Securities -- Marketing of Securities --
	List of Shares on Securities Exchange or NASDAQ
1075.1915	Quotation System
1075.1920	Reasonable Expenses Required
1075.1925	Employee Stock Benefit Plan -- Priority
1075.1930	Plan of Conversion -- Prohibited Provisions
1075.1935	Optional Provisions in Plan of Conversion
1075.1940	Approval of Other Provisions
1075.1945	Amount of Qualifying Deposit of Eligible Account Holder
1075.1950	or Supplemental Eligible Account Holder
1075.1955	Liquidation Account -- Establishment Required --
	Function
1075.1960	Liquidation Account -- Maintenance Required --
1075.1965	Subaccounts
1075.1970	Liquidation Account -- Distribution Upon Complete
	Liquidation
1075.1975	Liquidation Account -- Determination of Subaccount
	Balances
1075.1980	Reduction of Subaccount Balance
1075.1985	Converted Savings Bank Prohibited from Repurchasing its
1075.1990	Stock Without Approval
1075.1995	Limitation on Cash Dividends
1075.2000	Dividends on Preferred Stock
1075.2005	Prohibitions on Offer, Sale, or Purchase of Securities
1075.2010	Acquisitions of Control of a Converted Savings Bank
1075.2015	Articles of Incorporation -- Restrictions Permitted

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

Section	
1075.1995	Confidentiality of Consideration to Convert -- Remedial
	Measures for Breach
1075.2000	Public Statement Authorized
1075.2005	Adoption of Plan of Conversion -- Notice to and
	Inspection by Account Holders -- Statement and Letter --
1075.2010	- Press Release Authorized
	Statement, Letter and Press Release -- Content
	Permitted
1075.2015	Statement, Letter and Press Release -- Contents
	Prohibited -- Inquiries
1075.2020	Notices of Filing of Application -- Requests for
	Subscription Offering Circular
1075.2025	Filing of Notice and Affidavit of Publication Required
1075.2030	Application Available for Public Inspection --
	Confidential Information
1075.2035	Solicitation of Proxies; Proxy Statements
1075.2040	Vote by Members
1075.2045	Offers and Sales of Securities -- Prohibitions
1075.2050	Distribution of Offering Circulars Authorized
1075.2055	Preliminary Offering Circular for Subscription Offering
	-- Estimated Subscription Price Range Required
1075.2060	Review of Price Information by Commissioner
1075.2065	Underwriting Commission
1075.2070	Consideration of Prior Information by Commissioner --
	Guidelines
1075.2075	Submission of Information by Applicant
1075.2080	Subscription Offering -- Distribution of Order Forms
	for a Purchase of Shares
1075.2085	Order Forms -- Final Offering Circular and Detailed
	Instructions
1075.2090	Subscription Price
1075.2095	Order Form -- Contents
1075.2100	Order Form -- Additional Provision Authorized --
	Payment by Withdrawal
1075.2105	Time Period for Completion of Sale of all Shares of
	Capital Stock
1075.2110	Continuity of Corporate Existence
1075.2115	Application to Furnish Information
1075.2120	Additional Filing Requirements
1075.2125	Availability for References in Advance of Filing of
	Application -- Refusal of Prefiling Review
1075.2130	Appeal from Refusal to Approve Application
1075.2135	Postconversion Reports
1075.2140	Certain Agreement to Transfer and Transfers of
	Ownership in Rights or Securities Prohibited
1075.2145	Certain Offers and Announcements on Securities
	Prohibited

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

Section
 1075.2150 Certain Offers and Acquisitions Prohibited
 1075.2155 Definitions -- Certain Transfers, Offers and Amendments to Charter Required in Application -- Articles of Incorporation -- Filing of Certificate Required -- Contents -- Issuance and Filing of Authorization Certificate
 1075.2165 Conversions Incident to Acquisition by Savings Bank Holding Company or Merger or Consolidation with Savings Bank Holding Company Subsidiary -- Restriction on Sale of Shares of Stock by Directors and Officers
 1075.2170 Sale of Control in Connection with the Conversion of a Mutual Savings Bank to Capital Stock Savings Bank--Undercapitalized Mutual Savings Bank
 1075.2200 Application -- Application Requirements
 1075.2210 Application -- Filing the Application and Fees
 1075.2220 Application -- Preparing the Application
 1075.2230 Application -- Application Contents
 1075.2240 Application -- Application Exhibits
 1075.2300 Proxy Statement -- Information Required in Conversion
 1075.2310 Proxy Statement -- Notice of Meeting
 1075.2320 Proxy Statement -- Revocability of Proxy
 1075.2330 Proxy Statement -- Persons Making the Solicitations
 1075.2340 Proxy Statement -- Voting Rights and Vote Required for Approval
 1075.2350 Proxy Statement -- Directors and Executive Officers
 1075.2360 Proxy Statement -- Management Remuneration
 1075.2370 Proxy Statement -- Business of the Applicant
 1075.2380 Proxy Statement -- Description of the Plan of Conversion
 1075.2390 Proxy Statement -- Description of Capital Stock
 1075.2400 Proxy Statement -- Capitalization
 1075.2410 Proxy Statement -- Use of New Capital
 1075.2420 Proxy Statement -- New Charter, Bylaws, or Other Documents
 1075.2430 Proxy Statement -- Other Matters
 1075.2440 Proxy Statement -- Financial Statements
 1075.2450 Proxy Statement -- Consents of Experts and Reports
 1075.2460 Proxy Statement -- Attachments
 1075.2500 Offering Circular -- Certain Manner of Presentation of Required Information Prohibited
 1075.2510 Offering Circular -- Certain Named Persons -- Filing of Written Consent Required
 1075.2530 Offering Circular -- Information Required

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

Section
 1075.2540 Offering Circular -- Additional Current Information Required
 1075.2550 Offering Circular -- Statement Required in Offering Circulars
 1075.2560 Offering Circular -- Preliminary Offering Circular
 1075.2570 Offering Circular -- Information with Respect to Exercise of Subscription Rights
 1075.2580 Offering Circular -- Information with Respect to Public Offering or Direct Community Offering
 AUTHORITY: Implementing and authorized by the Savings Bank Act (4-A-86-1317-effective August 30, 1994; (Ill. Rev. Stat., 1991, ch. 17, pars. 7301-1 et seq.) [205 ILCS 205 1001 et seq.].
 SOURCE: Emergency Rules Adopted at 14 Ill. Reg. 15029, effective September 4, 1990, for a maximum of 150 days; adopted at 15 Ill. Reg. 1916, effective January 25, 1991; amended at 16 Ill. Reg. 4891, effective March 16, 1992; amended at 17 Ill. Reg. 3894, effective June 7, 1993.

NOTE: Capitalization denotes statutory language.

SUBPART A: FILINGS

Section 1075.100 Filings
 Filings pertaining to matters named hereafter shall be subject to the indicated fee pursuant to the Savings Bank Act ("the Act") (Ill. Rev. Stat., 1991, ch. 17, pars. 7301-1 et seq.) [205 ILCS 205 1001 et seq.], 1991-96-1317-effective August 30, 1994. Such fee or fees shall be paid at the Commissioner's office at the time of filing. Payment shall be by check, draft or money order made payable to the Commissioner of Savings and Residential Finance.
 a) Permit to Organize (Section 3001 of The Act).....\$ 1,000.00
 b) Merger (Section 8005 of The Act).....\$ 1,000.00
 c) Sale of Assets (Section 8010 of The Act).....\$ 1,000.00
 d) Amendment to Articles of Incorporation providing for the Issuance of Permanent Reserve Shares (Section 5004 of The Act) (Section 1075.400 of this Part).....\$ 1,000.00

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

e) Conversion from Savings Bank Charter to any Federal Charter (Section 8001 of The Act).....One (1) times the last total annual Supervisory Fee calculated and assessed against the Savings Bank as set forth in Section 1075.130 (a) and (b).

f) Hearing or Oral Argument -- each applicant requesting a hearing or oral argument and/or each objector requesting a hearing or oral argument and/or each adversary participating in a hearing or oral argument (Section 9018 of The Act) (Sections 1075.725 and 1075.900 of this Part).....\$ 500.00

Each applicant requesting a hearing or oral argument and/or each objector requesting a hearing or oral argument and/or each adversary participating in a hearing or oral argument shall bear its pro rata share of all expense incurred in said proceedings.

g) Application for Subsidiary Acquisition Fee (Section 2004 of The Act).....\$ 250.00

h) Conversion from Mutual to Capital Stock Form of Ownership (Section 5004 of The Act) (Support O of this Part).....\$10,000.00

i) Acquisition of Control of a Savings Bank (Section 5002, 5004 and 5006 of The Act) (Support N of this Part).....\$ 5,000.00

ii) Permission to Sell Capital Stock Purchased by a Director on Original Issue in a conversion from mutual to Stock Form of Ownership (Section 5004 of The Act) (Section 1075.1890(b)).....\$ 1,000.00

k) Photocopy and Duplication Fees

1) Photocopies (Per Page).....\$.25

2) Savings Bank Act.....\$ 25.00

3) Rules.....\$ 25.00

4) Annual Report.....\$ 25.00

5) Mailing Labels.....\$ 35.00

(Source: Amended at 17 Ill. Reg. 8894, effective June 7, 1991.)

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

SUBPART K: CONVERSION OF AN EXISTING DEPOSITORY INSTITUTION INTO AN ILLINOIS SAVINGS BANK

Section 1075.1425 Vote by Shareholders and DepositorsMembers

a) Shareholders and members shall vote on the conversion plan as follows:

1) The conversion plan shall not be submitted to eligible shareholders or eligible depositors members until the plan is approved by the Commissioner.

2) Notwithstanding subsection (a)(1) above, a converting institution the stock of which is listed or traded on a securities exchange, including national or regional securities dealers, the National Association of Securities Dealers Automated Quotation system (NASDAQ), may seek approval of the conversion plan by eligible shareholders prior to the Commissioner's approval of the plan. Shareholders shall be given notice that no plan may be effected without the Commissioner's approval. If the Commissioner finds that after gaining shareholder approval, the plan has undergone any substantive change, the plan as changed must be approved by eligible shareholders.

b) The voting record date for determining whether a shareholder or depositor is eligible to vote shall not be more than forty (40) days nor less than ten (10) days before the date such vote is taken.

c) Upon application to the Commissioner and for good cause shown an applicant may dispense with mailed notice of the date of vote for conversion, to depositors and shareholders. In cases where notice is mailed to eligible depositors and shareholders, each mailed notice shall include at least, a summary statement of the plan of conversion, the proposed ballot or proxy and a copy of the proposed Articles of Incorporation. Each notice whether mailed, posted or published shall state the time, place and governing rules for the vote.

d) Each person holding one or more withdrawable accounts entitling the holder to voting rights, shall have the vote of one share for each \$100.00 of aggregate withdrawable value of the accounts and shall have the

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

vote of one share for any fraction of \$100.00; except that any member of a mutual institution chartered with Federal Charter K Revised" may not cast more than 50 votes in keeping with the provisions of said charter.

- e) Each holder of capital stock held shall have one vote for each share held.
- f) Shares owned by the applicant depository institution shall not be counted or voted.
- g) Approval of a conversion plan shall require an affirmative vote by a majority of the votes cast by the applicant's eligible voters.
- h) Notwithstanding the provisions of subsections (a) through (g) above, if the converting depository institution is chartered under federal law, approval of a conversion plan by the members or stockholders of the converting depository institution shall be obtained in the manner prescribed by applicable federal law.

i) The converting depository institution must submit a certification by the presiding officer or secretary of the depository institution that the conversion plan and the revised Articles of Incorporation have been approved by the shareholders of the depository institution; together with the following information:

- 1) the total number of votes eligible to be cast;
- 2) the total number of votes cast;
- 3) the total number of votes approving or rejecting the applicant's conversion plan and adopting the revised Articles of Incorporation;
- 4) the percentage of votes cast to approve such Plan of Conversion and adopt the revised Articles of Incorporation; and
- 5) the date on which the vote was held.

(Source: Amended at 17 Ill. Reg. 8894, effective June 7, 1993)

SUPPORT N: ACQUISITION OF CONTROL OF SAVINGS BANK

Section 1075.1700 Acquisition of Control of Savings Bank

a) As used in this Section, the following definitions apply:

- 1) "Affiliate" means any company that controls, is controlled by, or is under common control with a person.
- 2) "Company" means a corporation, a partnership, an association, a joint stock company, a trust or an unincorporated organization.
- 3) "Control" means the ability of any person, entity, persons, or entities acting alone or in concert with one or more persons or entities, to own, hold, or direct with power to vote, or to hold proxies representing 10% or more of the voting shares or rights of a savings bank, savings bank subsidiary, savings bank affiliate, or savings bank holding company; or the ability to achieve in any manner the election or appointment of a majority of the directors of a savings bank. This definition shall not apply to the voting of proxies obtained from depositors if the proxies are voted as directed by a majority of the board of directors of the savings bank or of a committee of directors when the committee's composition and powers may be revoked by a majority vote of the board of directors.
- 4) "Person" means an individual, a company or a group acting in concert.
- 5) "Associate", when used to indicate relationship with any person, means:
 - A) any corporation or organization (other than the applicant or a wholly owned subsidiary of the applicant) of which such person is an officer or partner or is, directly or indirectly, either alone or together with one or more members of his or her immediate family, the beneficial owner of 10% or more of any class of securities;
 - B) any trust or other estate in which the person has a substantial beneficial interest or as to which such person serves as trustee or in a similar fiduciary capacity;

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

- C.) any relative or spouse of such person or any relative of such spouse, who has the same home as such person or who is a director or officer of the savings bank or a related entity; or
- D.) anyone who has an agreement, arrangement, or understanding with such person the purpose or effect of which is to enable the person to enter into and consummate the transaction described in subsection (m) below on terms more advantageous than had the transaction been entered into or consummated by a person who was not a party to such agreement, arrangement, or understanding.

6.) "Savings Bank Holding Company" means any company which directly or indirectly or through one or more subsidiaries controls a savings bank.

b.) It is unlawful for any person to acquire control of a savings bank or savings bank holding company unless acquired pursuant to this Section. Any acquisition of control in violation of this Section shall be ineffective and void.

c.) Application to acquire control of a savings bank shall be made to the Commissioner. The application shall be under oath or affirmation, and shall contain substantially all the following information plus any additional information that the Commissioner may prescribe as necessary or appropriate in the particular instance for the protection of depositors, borrowers, or stockholders and the public interest.

1.) The identity and banking and business experience of each person by whom or on whose behalf the acquisition is to be made, including, (but not limited to), his or her business activities and affiliations during the past ten years, and a description of any pending legal or administrative proceedings in which he or she is a party and any criminal indictment or any conviction of such person by any state or federal court.

2.) If not entirely described in subsection (c)(1) above, for each person by whom or on whose behalf the acquisition is to be made, any past ten (last ten years), present or proposed affiliation

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

with an insured depository institution including, but not limited to, any past, present or proposed employment and all affiliation or connection of the kind described under the definition of "affiliated person of a savings bank or insured institution" as defined in this Section.

3.) A statement of the assets and liabilities, including contingent liabilities, of each person by whom or on whose behalf the acquisition is to be made, as of the end of the fiscal year for each of the five (5) immediately preceding the date of the notice, including statements of income, and source and allocation of funds for each of the fiscal years then concluded, all prepared in accordance with generally accepted accounting principles consistently applied; and an interim statement of the assets and liabilities, including contingent liabilities, for each such person, including related statements of income, and source and application of funds, as of a date not more than 90 days before the date of the filing of the notice.

4.) The terms of the proposed acquisition and the manner in which the acquisition is to be made.

5.) The identity, source and amount of the funds or other consideration used, or to be used, in making the acquisition. If any part of these funds or other consideration has been or is to be borrowed or otherwise obtained to make the acquisition, a description of the transaction, the names of the parties and any arrangements, agreements or understandings with such persons.

6.) Any plans or proposals which any acquiring party may have to liquidate the bank, to sell its assets or merge it with any company or to make any other major change in its business or corporate structure or management.

7.) The identity of any person employed, retained, or to be compensated by the acquiring party, or by any person on his behalf, to make solicitations or recommendations to stockholders to assist in the acquisition, and a brief description of the terms of such employment, retainer or arrangement for compensation.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

- 8) Copies of all invitations or tenders or advertisements making a tender offer to stockholders for purchase of their stock to be used in connection with the proposed acquisition.

d) When a person, other than an individual or corporation, is required to file an application under this section, the supervisor may require that the information required by subsection (c)(1),(2),(3) and (7) above be given with respect to each person, as defined in subsection (a)(3) above, who has an interest in or controls a person filing an application under this subsection.

e) When a corporation is required to file an application under this section, the Commissioner may require that information be furnished by subsection (c)(1),(2),(3) and (7) above be given for the corporation, each officer and director of the corporation and each person who is directly or indirectly the beneficial owner of twenty-five percent or more of the outstanding voting securities of the corporation.

f) If any tender offer, request or invitation for tenders or other agreements to acquire control is proposed to be made by a registration statement under the Securities Act of 1933 (15 U.S.C. 77a et seq.), or in circumstances of 1933 (15 U.S.C. 77a et seq.), or in circumstances requiring the disclosure of similar information under the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.), the registration statement or application may be filed with the Commissioner instead of the requirements of this Section.

g) Any acquiring party shall deliver a copy of any notice or application required by this Section to the savings bank proposed to be acquired within two days after such notice or application is filed with the Commissioner.

h) Any person who willfully or intentionally violates this Section is subject to Section 11006(1) of The Act. Each day's violation shall be considered a separate violation. This subsection in no way limits investigation, examination, prosecution, conviction, levying of fines, or any other legal action or remedy carried out pursuant to any other applicable state or federal law.

i) The Commissioner may disapprove the acquisition of a savings bank within 45 days after the filing of a

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

complete application if:

1) The poor financial condition of any acquiring party might jeopardize the financial stability of the savings bank or might prejudice the interest of depositors, borrowers, or stockholders.

2) The plan or proposal of the acquiring party to liquidate the savings bank, to sell its assets, to merge it with any person, or to make any other major change in its business or corporate structure or management is not fair and reasonable to its depositors, borrowers, or stockholders or is not in the public interest.

3) The banking and business experience and integrity of any acquiring party would control the operation of the savings bank indicates that approval would not be in the best interest of the savings bank's depositors, borrowers, or stockholders.

4) The information provided by the application is insufficient for the Commissioner to determine whether the acquisition should be approved or there has been insufficient time to verify the information provided and conduct an examination of the qualifications of the acquiring party; or

5) The acquisition would not be in the public interest.

i) An acquisition may be made before expiration of the disapproval period if the Commissioner issues written notice of intent not to disapprove the action.

k) The Commissioner shall set forth the basis for disapproval of any proposed acquisition in writing and shall provide a copy of such findings and order to the applicants and to the bank involved. Such findings and order shall not be disclosed to any other party and shall not be subject to public disclosure unless the findings or order are appealed and subject to hearing.

l) Whenever such a change in control occurs, each party to the transaction shall report promptly to the Commissioner any changes or replacement of its chief executive officer or of any director occurring in the next calendar period, including in its report a statement of the past and current business and professional affiliations of the

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

new chief executive officers or directors.

m)

For a period of 10 years following the acquisition of control by any person, neither such acquiring party nor any associate or affiliate of the acquiring party or the acquired savings bank shall receive any loan or the use of any of the funds of, nor purchase, lease, or otherwise receive the property, or any other ownership, interest in or right to the sale, purchase, or any other ownership, interest in or right to, any savings bank in which the acquiring party has control; except that:

1) the provisions of this subsection shall not apply to transactions permitted under Sections 22(g), 22(h), 23A or 23B of the Federal Reserve Act (12 U.S.C. Sections 375a, 375b, 371c and 371c-1), or transactions with any person (including such person's affiliates and associates) after the person ceases to be in control of the savings bank, or ceases to be an affiliate or associate of a person in control of a savings bank, and

2) upon application by any acquiring party or associate or affiliate or affiliated person of a savings bank or insured institution subject to this subsection, the Commissioner may approve a transaction between a savings bank and such acquiring party, person, or associate or affiliate or insured institution, upon finding that the terms of the transaction are at least as advantageous to the savings bank as the savings bank would obtain in a comparable transaction with an person that is not an acquiring party or an associate or affiliate thereof.

n)

To enable any person to purchase any or all shares of its capital stock, no savings bank shall make a loan to, pledge or otherwise transfer any of its assets as security for a loan to such person or to any associate or affiliate or affiliated person of a savings bank or insured institution, or except as otherwise permitted in this subsection, pay any dividends to any such person or associate or affiliate or affiliated person of a savings bank or insured institution except upon a finding by the Commissioner that such transaction(s) is fair to stockholders, depositors, and creditors, and does not otherwise violate any provision of the Act. Nothing in this section shall prohibit a dividend among shareholders

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

in proportion to their shareholdings.

o)

Filing with the Commissioner of a copy of notice filed pursuant to the Federal Deposit Insurance Act (12 U.S.C. 1817(f)) and the Rules under the Federal Deposit Insurance Corporation Act of 1956 (12 U.S.C. 1841 Note et seq.) and the Federal Reserve Board Regulations for Bank Holding Companies (12 CFR 225.41 et seq.) or pursuant to the Home Owners' Loan Act (12 U.S.C. Section 1461 et seq.) and the Regulations for Acquisition of Control of Savings Institutions (12 C.F.R. Section 574.1 et seq.) shall satisfy the requirements of subsection (c) above.

p)

The accuracy and completeness of any information submitted by the applicant(s) may be determined by the Commissioner pursuant to the Commissioner's examination authority.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1710 Anti-Takeover Provisions

a) With approval of the Commissioner, a savings bank may amend its articles of incorporation with regard to the acquisition by any person or persons of its equity securities. The savings bank shall file with its application for approval an opinion, acceptable to the Commissioner, of counsel independent from the savings bank that the proposed amendment(s) would be permitted to be adopted by a corporation chartered by Illinois pursuant to the Business Corporation Act of 1983, (805 ILCS 5/1.01 et seq.).

b)

No amendments of a savings bank's articles of incorporation pursuant to subsection (a) above may be made or approved by the Commissioner if the savings bank's capital is below requirements established by the Commissioner or by federal law or if the savings bank's most recent composite rating (CAMEL) is composite 4 or composite 5. This subsection shall not be construed to grant automatic approval of applications that do not fall within the restrictions of this subsection.

c)

Other than specified in subsections (a) and (b) above, a savings bank shall amend its articles of incorporation in accordance with Section 7108-2 of The Act.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

SUBPART 01. CONVERSION OF MUTUAL SAVINGS BANK TO CAPITAL STOCK SAVINGS BANKSection 1075.1800 Subpart Exclusive -- Prohibition on Conversion Without Approval -- Waiver of Requirements

This Subpart shall exclusively govern the conversion of mutual savings banks to capital stock savings banks. No mutual savings bank may convert to the capital stock form of organization without the prior written approval of the Commissioner pursuant to this Subpart, except that the Commissioner may waive requirements of this Subpart when a deviation from the requirements is required due to a change in applicable law, regulation or policy; to effect a recapitalization of an undercapitalized depository institution; or due to unforeseen circumstances which leave no viable alternative course of action that complies with the requirements of this Subpart to effect a conversion that is not injurious to the converting savings bank and that is not inequitable to members. Any waiver must be upon a written finding that it complies with this Section and the written finding must include grounds as to why the waiver complies with this Section.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1805 Forms

The Commissioner may prescribe under this Subpart forms for use by a mutual savings bank seeking to convert to a capital stock savings bank pursuant to this Subpart.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1810 Request of Noncompliance Requirements

- a) Notwithstanding the requirements of Section 1075.1800, if an applicant finds that compliance with any provision of this Subpart would be in conflict with any provision of federal law, the Commissioner shall grant a request of noncompliance with the provision. For purposes of this Section, applicable federal law may include federal regulations referred to in this Subpart. The request may be incorporated in the application for conversion; otherwise, the applicant shall file the request in accordance with the requirements of the Commissioner.

- b) In making any such request, the applicant shall:

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

- 1) specify the provision or provisions of this Subpart with respect to which the applicant desires a waiver; and

- 2) furnish an opinion of counsel demonstrating that applicable federal law is in conflict with the specified provision or provisions of this Subpart.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1815 Definitions

Terms defined in other Subparts of this Part, when used in this Subpart, shall have the meanings given in those definitions, to the extent those definitions are not inconsistent with the definitions contained in this Subpart unless the context otherwise requires. As used in this Subpart, the following definitions apply, unless the context otherwise requires:

"Acting in Concert" means knowing participation in a joint activity or interdependent conscious parallel action towards a common goal, whether pursuant to an express agreement or combination or pooling of voting or other interests in the securities of an issuer or of a common purpose, subject to a determination of intent and the relationship, agreement or other arrangement, whether written or otherwise; a person or company which acts in concert with another person or company ("other party") shall also be considered to be acting in concert with any person or company who is also acting in concert with that other party, except that any employee stock benefit plan as defined in this Section will not be considered to be acting in concert with its trustee or a person who serves in a similar capacity solely to determine whether stock held by the trustee and stock held by the plan will be aggregated.

"Affiliate" means any company that controls, is controlled by, or is under common control with a person. "Amount", when used in regard to securities, means the principal amount if relating to evidences of indebtedness, the number of shares if relating to shares of common or preferred stock, and the number of units if relating to any other kind of security.

"Applicant" is a mutual savings bank which has applied

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

to convert pursuant to this chapter.

"Broker" means any person engaged in the business of effecting transactions in securities for the account of others.

"Capital stock" includes permanent stock, guaranty stock, permanent reserve stock, any similar certificate evidencing nonwithdrawable capital, preferred stock, convertible preferred stock of a savings bank converted under this Subpart or of a subsidiary, institution or holding company.

"Charter" includes articles of incorporation, articles of reincorporation, and certificates of incorporation, as amended, effecting (either with or without filing with any governmental agency) the organization or creation of an incorporated person.

"Commissioner" means the Commissioner of Savings and Residential Finance.

"Company" means a corporation, a partnership, an association, a joint stock company, a trust or an unincorporated organization.

"Control" is defined as it is defined in Section 1007.35 of The Act.

"Dealer" means any person who engages either for all or part of his time, directly or indirectly, as agent, broker, or principal, in the business of offering, buying, selling, or otherwise dealing or trading in securities issued by another person.

"Deposit Accounts" means any account defined as a deposit account at Section 7001 of the Act.

"Director" is defined as it is defined in Section 1007.55 of The Act.

"Eligibility Record Date" means the record date for determining eligible account holders of a converting mutual savings bank.

"Eligible Account Holder" means any person holding a qualifying deposit as determined in accordance with Section 1075.1935.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

"Employee" does not include a director or officer.

"Employee Stock Benefit Plan" means any defined benefit plan or defined contribution plan, such as an employee stock ownership plan, employee stock purchase plan, stock bonus plan, profit-sharing plan or other plan and its related trust.

"Equity Security" means any stock or similar security; or any security convertible, with or without consideration, into such a security, or carrying any warrant or right to subscribe to or purchase such a security; or any such warrant or right.

"Market Maker" means a dealer who, with respect to a particular security:

regularly publishes bona fide, competitive bid and offer quotations in a recognized interdealer quotation system; or

furnishes bona fide competitive bid and offer quotations on request; and

is ready, willing, and able to effect transaction in reasonable quantities at his quoted prices with other brokers or dealers.

"Mutual savings bank" means a mutual savings bank organized and operating under The Act.

"Offer of sale" shall include "offer," "offer to sell," or "offer of sale" and shall include every attempt or offer to dispose of, or solicitation of an offer to buy, a security or interest in a security, for value. These terms shall not include preliminary negotiations or agreements between an applicant and any underwriter or agent underwriters who are or are to be in privity of contract with an applicant.

"Officer" for purposes of the purchase of stock in a conversion under this Subpart or the sale of this conversion under this Subpart of the board, president, vice president, chairman of the board, president, vice president, secretary, treasurer or principal financial officer, controller or principal accounting officer, and any other person performing similar functions with respect to any organization whether incorporated or

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

unincorporated.

"person" means an individual, a company, or a government or political subdivision thereof.

"Principal Underwriter" means an underwriter, as defined in this section, in privity of contract with the applicant or other issuer of securities as to which that person is the underwriter.

"proxy" includes every form of authorization by which a person is or may be designated to act for a stockholder in the exercise of his voting rights in the affairs of an institution. Such an authorization may take the form of a failure to dissent or object.

"Purchase" and "buy" include every contract to purchase, buy, or otherwise acquire a security or interest in a security for value.

"Sale" and "sell" include every contract to sell or otherwise dispose of a security or interest in a security for value; but these terms do not include an exchange of securities in connection with a merger or acquisition approved by the Commissioner.

"Security" includes any note, stock, treasury stock, bond, debenture, transferable share, investment contract, voting-trust certificate, or in general, any instrument commonly known as a "security"; or any certificate of interest or participation in, temporary or interim certificate for, receipt for, or warrant or right to subscribe to or purchase any of the foregoing.

A "Subsidiary" of a specified person is a company controlled by the person, directly or indirectly through one or more intermediaries.

"Supplemental Eligibility Record Date" means the supplemental record date for determining supplemental eligible account holders of a converting savings bank required by Section 1075.1845. The date shall be the last day of the calendar quarter preceding Commissioner approval of the application for conversion.

"Supplemental Eligible Account Holder" means any person holding a qualifying deposit as of the supplemental eligibility record date, excluding officers, directors

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

and their associates except as provided in Section 1075.1845.

"Underwriter" means any person who has purchased from an applicant with a view to, or offers or sells for an applicant in connection with, the distribution of any security, or participated or has a direct or indirect participation in the direct or indirect distribution of any such security, in which case the underwriter does not include an underwriter of a security which does not include an underwriter or dealer not in excess of the usual and customary distributors' or sellers' commission.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1820 Prohibition on Approval of Certain Applications for Conversion

No application for conversion may be approved by the Commissioner if:

- a) The plan of conversion adopted by the applicant's board of directors is not in accordance with this Subpart.
- b) The conversion reasonably could be expected to result in a reduction of the applicant's capital below requirements established by the Commissioner and by Federal law.
- c) The conversion results in a taxable reorganization of the applicant under the United States Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.), and the Commissioner upon a written finding determines that the reorganization will endanger the safety and soundness of the converting savings bank;
- d) The converted savings bank does not secure insurance of its deposit accounts backed by the full faith and credit of the United States government before commencing business; or
- e) Where a holding company is contemplated, the holding company will not be either a bank holding company registered with the Federal Reserve Board under the Bank Holding Company Act (12 U.S.C. Section 1841 et seq.) or a savings and loan holding company registered with the Office of Thrift Supervision under the Home Owners' Loan Act (12 U.S.C. Section 1461 et seq.).

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

(Source. Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1825. Requirements of Plan of Conversion

The plan of conversion shall contain all the provisions set forth in Sections 1075.1830 through 1075.1905.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1830. Issuance of Capital Stock -- Price

A converted savings bank shall issue and sell capital stock at a total price at least equal to the estimated pro forma market value of the stock issued in connection with the conversion, based on an independent valuation, as provided in Section 1075.2070.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1835. Stock Purchase Subscription Rights -- Eligible Account Holders

- a) Each eligible account holder shall receive, without payment, nontransferable subscription rights to purchase capital stock in an amount ranging from one percent to five percent of the total offering, with each receiving subscription rights to the same percentage of capital stock; or in an amount that reflects a proportioned amount that is based on the amount of the eligible account holder's qualifying deposit relative to the total amount of qualifying deposits. The allocation of subscription rights to purchase shares of capital stock under this subsection shall not give the directors in the aggregate subscriptions equal to more than 20 percent of the total offering.

- b) When a conversion plan is effected pursuant to Section 1075.2170, the total number of shares refers to that number of shares not sold to the acquirer or acquirors designated in the plan.

- c) If the allotment made in this Section results in an oversubscription, the plan of conversion may provide that shares shall be allocated first to directors, officers and employees who have five-year account holders for the entire 5 years before the conversion. However, the Commissioner may waive the five-year requirement for an individual upon a written finding that the individual who has not been a five-year account holder participated in and

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

greatly contributed to rehabilitating the savings bank and that the waiver is necessary to maintain the savings bank's independent ownership. Any shares not allocated to such directors, officers and employees shall be allocated among other subscribing eligible account holders on such equitable basis, related to the amounts of their qualifying deposits, as may be provided in the plan of conversion. For the purposes of shares allocated pursuant to the immediately preceding sentence, directors may be allocated additional shares in the same manner as other eligible account holders.

- d) If the allotment in this Section results in an undersubscription, the plan of conversion may provide that the directors, officers and employees of the savings bank who are eligible account holders receive, without payment, nontransferable subscription rights to purchase unallocated shares of capital stock. The subscription rights shall be allocated among such directors, officers and employees on an equitable basis such as by giving weight to period of service, compensation, or position.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1840. Stock Purchase Subscription Rights Received by Officers, Directors, and their Associates -- Subordination

Nontransferable subscription rights to purchase capital stock received by officers and directors and their associates of the converting savings bank based on their increased deposits in the converting savings bank in the one-year period preceding the eligibility record date shall be subordinated to all other subscriptions involving the exercise of nontransferable subscription rights to purchase shares pursuant to Section 1075.1835.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1845. Supplemental Share Purchase Subscription Rights -- Supplemental Eligible Account Holder -- Conditions

- a) In plans with an eligibility record date that is more than 15 months before the date of the latest amendment to the application for conversion filed before the Commissioner's approval, a supplemental eligibility record date shall be determined whereby each supplemental

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

eligible account holder of the converting savings bank shall receive, without payment, nontransferable subscription rights to purchase shares in an amount ranging from one percent to five percent of the total offering, with each receiving subscription rights to the same percentage of capital stock, or in an amount that is based on a proportioned amount that is based on the amount of the eligible account holder's qualifying deposits relative to the total amount of qualifying deposits in the converting savings bank on the supplemental eligibility record date. When a conversion plan is effected pursuant to Section 1075.2170, the total number of shares refers to that number of shares not sold to the acquiror or acquirors designated in the plan.

b) Subscription rights received pursuant to this Section shall be subordinated to all rights received by eligible account holders to purchase shares pursuant to Sections 1075.1835 and 1075.1840.

c) Any nontransferable subscription rights to purchase shares received by an eligible account holder in accordance with Sections 1075.1835 and 1075.1840 shall be applied in partial satisfaction of the subscription rights to be distributed pursuant to this Section.

d) In the event of an oversubscription for supplemental shares pursuant to this Section, shares shall be allocated among the subscribing supplemental eligible account holders on such equitable basis, related to the amounts of their respective qualifying deposits, as may be provided in the plan of conversion.

e) A director or officer of the converting savings bank shall be entitled to subscription rights as a supplemental eligible account holder only if:

- 1) such person is not also an eligible account holder entitled to subscription rights under Section 1075.1835; and
- 2) such person became a director or officer of the converting savings bank after the eligibility record date established under Section 1075.1875.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1850 Voting Members Who Are Not Eligible Account

Holders

a) Voting members who are not either eligible account holders or supplemental eligible account holders may receive, without payment, nontransferable subscription rights to purchase capital stock in an amount equal to the greater of the maximum purchase limitation established for the public offering or direct community offering or one-tenth of one percent of the total offering of shares.

1) Subscription rights received pursuant to this Section shall be subordinated to all rights received by employee stock benefit plans, eligible account holders and supplemental account holders to purchase shares pursuant to Sections 1075.1835, 1075.1840, and 1075.1845.

2) In the event of an oversubscription to capital stock pursuant to this Section, shares shall be allocated among the subscribing voting members on such equitable basis as may be provided in the plan of conversion.

b) When a conversion plan is effected pursuant to Section 1075.2170, the total number of shares refers to that number of shares not sold to the acquiror or acquirors designated in the plan.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1855 Sale of Shares Not Sold in Subscription Offering -- Methods -- Conditions

Any shares of the converting savings bank not sold in the subscription offering shall either be sold in a public offering through an underwriter or directly by the converting savings bank in a direct community marketing, subject to the applicant demonstrating to the commissioner the feasibility of the method of sale and to such conditions as may be provided in the plan of conversion. The conditions shall include, but not be limited, to the following:

- a) A condition that any direct community offering by the converting savings bank shall give a preference to natural persons residing in the counties in which the savings bank has an office. The methods by which preference shall be given shall be approved by the

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

Commissioner.

- b) A condition requiring the stock to be offered and sold in the public offering or the direct community offering, to be offered and sold in a manner that will achieve the widest distribution of the stock.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1860 Uniform Sales Price of Shares Required -- Application to Specify Arrangements on Sale of Shares Not Sold in Subscription Offering

- a) The sales price of the shares of capital stock to be sold in the conversion shall be a uniform price determined in accordance with Sections 1075.2055, 1075.2070, and 1075.2090. The applicant shall specify in its conversion application the underwriting and other marketing arrangements to be made to assure the sale of all shares not sold in the subscription offering.

- b) In a conversion of a mutual savings bank that is in the process of acquisition by a depository institution holding company or in the process of merger or consolidation with a depository institution, the pricing requirements of subsection (a) above may be waived by the applicant with respect to sales of shares of capital stock during the subscription offering to persons entitled to subscription rights under Sections 1075.1835, 1075.1845, 1075.1850, 1075.1910 and 1075.1925(b) and (c) of this Subpart. Waiver shall be granted only upon a written finding by the Commissioner that the provision is not inequitable to members and would not injure the converting savings bank and, in the case of a waiver for sales to employee stock benefit plans or management recognition plans under Section 1075.1910, only if employees of the converting savings bank are, or upon consummation of the acquisition, merger or consolidation, will be, eligible to participate therein. The finding of the Commissioner shall include grounds as to why the provision is not inequitable or injurious.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1865 Savings Account Holder to Receive Withdrawable Savings Account(s) -- Amount

Each deposit account holder of the converting savings bank shall

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

receive, without payment, a deposit account or accounts in the converted savings bank equal in amount, rate of return, and general terms to the withdrawable account holder's deposit account or accounts in the pre-conversion mutual savings bank.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1870 Liquidation Account -- Establishment and Maintenance Required

A converting savings bank shall establish and maintain a liquidation account for the benefit of eligible account holders and supplemental eligible account holders in the event of a subsequent complete liquidation of the converted savings bank, in accordance with Sections 1075.1940 through 1075.1960.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1875 Establishment of Eligibility Record Date Required

The applicant shall establish an eligibility record date, which shall not be less than 90 days before the date of adoption of the plan by the converting savings bank's board of directors.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1880 Voting Rights

Stockholders of the converted savings bank shall have exclusive voting rights as prescribed in Section 4005 of the Act.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1885 Amendment and Termination of Plan of Conversion

The plan of conversion adopted by the applicant's board of directors may be amended or withdrawn by the board of directors at any time before final approval of the Commissioner and solicitation of proxies from the applicant's members to vote on the plan, provided that no such amendment or withdrawal shall be effective unless the Commissioner is notified of the amendment or withdrawal and the Commissioner acknowledges receipt of notification. The plan of conversion adopted by the applicant's board of directors may be amended or withdrawn by the board of directors after final approval of the Commissioner and solicitation of proxies from the applicant's members to vote on the plan only with the approval of the Commissioner.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993)

Section 1075.1900 Restriction on Sale of Shares of Stock by Directors and Officers

a) All shares of capital stock purchased by directors on original issue in the conversion either directly from the savings bank (by subscription or otherwise) or from an underwriter of the shares shall be subject to a restriction that the shares shall not be sold for a period ranging from one year to five years following the date of purchase, except in the event of death of the director. Within the one-to-five year range, the length of the restriction shall be determined by the savings bank.

b) Notwithstanding the sales restriction of subsection (a) above, after a director has owned such capital stock purchased on original issuance for a period of not less than one year from the date of purchase, a director may request the Commissioner's permission to sell the stock. The Commissioner may grant permission to sell the stock upon a written finding that:

1) the sale would substantially contribute to averting otherwise unavoidable injury to the savings bank; or

2) due to a change in the director's financial or personal circumstances that was unforeseen at the time of purchase of the stock, disallowing the sale would result in substantial, imminent and otherwise unavoidable hardship.

c) All shares of capital stock purchased by officers on original issue in the conversion either directly from the savings bank (by subscription or otherwise) or from an underwriter of the shares shall be subject to the restriction that the shares shall not be sold for a period of not less than one year following the date of purchase, except in the event of death of the officer.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993)

Section 1075.1905 Conditions on Shares of Stock Subject to Restriction on Sale

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

In connection with shares of capital stock subject to restriction on sale:

- a) each certificate for the stock shall bear a legend giving appropriate notice of the restriction;
- b) appropriate instructions shall be issued to the transfer agent for the capital stock with respect to applicable restrictions on transfer of any such restricted stock; and
- c) any shares issued as a stock dividend, stock split, or otherwise with respect to any such restricted stock shall be subject to the same restrictions as may apply to the restricted stock.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993)

Section 1075.1900 Registration of Securities -- Marketing of Securities -- Listing of Shares on Securities Exchange or NASDAQ Quotation System

A converted savings bank or savings bank holding company shall:

a) promptly register securities issued in its conversion pursuant to the Securities and Exchange Act of 1934 (15 U.S.C. 78a et seq.) and undertake not to deregister the securities for a period of three years thereafter;

b) use its best efforts to encourage and assist a market maker to establish and maintain a market for the securities issued in connection with the conversion; and

c) use its best efforts to list those shares issued in connection with the conversion on a national or regional securities exchange or on the National Association of Securities Dealers Automated Quotations ("NASDAQ") system.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993)

Section 1075.1905 Reasonable Expenses Required

The expenses incurred in the conversion shall be reasonable.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993)

Section 1075.1910 Employee Stock Benefit Plan -- Priority.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE
NOTICE OF ADOPTED AMENDMENTS

- a) Employee stock benefit plans in the aggregate have priority to purchase up to 15 percent of the total offering of shares of capital stock before eligible and supplemental eligible account holders and voting members who have subscription rights.
- b) In addition to the subscription rights of employee stock benefit plans under subsection (a) above, management aggregate plans and benefit income plans in the aggregate have priority to purchase up to 5 per cent of the total offering of shares of capital stock before eligible and supplemental eligible account holders and voting members who have subscription rights.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1915 Employee Stock Benefit Plan -- Contributions
Scheduled discretionary contributions to a employee stock benefit plan may be made if the contributions do not cause the savings bank to fail to meet capital requirements established by the Commissioner or by federal law.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1920 Plan of Conversion -- Prohibited Provisions

- a) The plan of conversion shall contain no provision which the Commissioner determines to be inequitable or detrimental to the applicant, its account holders, or other savings banks or to be contrary to the public interest.

- b) Except for loans to eligible account holders and supplemental eligible account holders that are fully secured by certificates of deposit with the converting savings bank of such account holders the plan of conversion shall contain no provision which permits or requires the applicant to extend credit of any kind in any way or to distribute assets of any kind in any way to any person or entity to purchase the applicant's capital stock before or during the conversion.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1925 Optional Provisions in Plan of Conversion

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE
NOTICE OF ADOPTED AMENDMENTS

The plan of conversion may provide any or all the following:

- a) That the converting savings bank may begin the direct community offering or the public offering, or both, concurrently with or at any time during the subscription offering. The subscription offering may begin concurrently with or at any time after the mailing to savings bank members pursuant to Section 1075.2040(b) of the proxy statement authorized for use by the Commissioner. The subscription offering may be closed before the meeting of the savings bank members held to vote on the plan of conversion only if the offer and the sale of the capital stock shall be conditioned upon the approval of the plan of conversion by the savings bank members as provided in Section 1075.2040.
- b) That the directors, officers and employees of the converting savings bank shall receive, without payment, non-transferable subscription rights to purchase shares of capital stock that are available after satisfying the subscriptions provided for under Sections 1075.1835, 1075.1845, 1075.1855 and 1075.1910, subject to such conditions as may be provided in the plan of conversion. In the event of an oversubscription by directors, officers and employees, the shares available shall be allocated among the subscribing directors, officers and employees on an equitable basis, such as by giving weight to period of service, compensation or position.

- c) That any account holder receiving rights to purchase stock in the subscription offering shall also receive, without payment, non-transferable subscription rights to purchase up to one percent of the total offering of shares of capital stock, to the extent that such shares are available after satisfying the subscriptions provided for under subsection (b) above and Sections 1075.1835, 1075.1845, 1075.1850 and 1075.1910, subject to such conditions as may be provided in the plan of conversion. The amount of subscription for such additional shares of shares available shall be allocated among the subscribing eligible account holders, supplemental eligible account holders and voting members on such equitable basis, related to the amounts in the plan of conversion, as may be provided in the plan of conversion.

- d) That the converting savings bank may require savings bank members to return by a reasonable date certain a postage-

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

paid written communication provided by the converting savings bank requesting receipt of a subscription offering circular, or a preliminary or final offering circular in an offering pursuant to subsection (h) below, in order to be entitled to receive an offering circular from the converting savings bank. The subscription offering or the offering pursuant to subsection (h) below shall not be closed until the expiration of 30 days after the mailing by the converting savings bank to bank members of the postage-paid written communication. If the subscription offering or the offering pursuant to subsection (h) below is not started within 45 days after the meeting of savings bank members, the converting savings bank that has adopted this optional provision shall transmit no more than 30 days before the start of the subscription offering or the offering pursuant to subsection (h) below to each savings bank member who has been furnished with proxy soliciting materials, written notice of the start of the offering, which notice shall state that the converting savings bank is not required to furnish an offering circular to a savings bank member unless the savings bank member returns by a reasonable date certain the postage-paid written communication provided by the converting savings bank requesting receipt of an offering circular.

e)

That the converting savings bank may require eligible account holders and supplemental eligible account holders who are not listed and paid written communication provided by the converting savings bank requesting the receipt of a subscription offering circular, or a preliminary or final offering circular in an offering pursuant to subsection (h) below in order to be entitled to receive an offering circular from the converting savings bank. The subscription offering or the offering pursuant to subsection (h) below shall not be closed until the expiration of 30 days after the mailing by the converting savings bank to the non-voting eligible account holders and supplemental eligible account holders of the postage-paid written communication. If the subscription offering or the offering pursuant to subsection (h) below is not started within 45 days after the meeting of savings bank members, the converting savings bank that has adopted this optional provision shall transmit no more than 30 days before the start of the subscription offering or the offering pursuant to subsection (h) below written notice of the start of the offering, which notice shall state

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

that the converting savings bank is not required to furnish an offering circular to a non-voting eligible account holder or supplemental eligible account holder unless the eligible account holder or supplemental eligible account holder returns by a reasonable date certain the postage-paid written communications provided by the converting savings bank requesting receipt of an offering circular.

f)

That any shares of the converting savings bank not sold in the subscription offering or in a public offering referred to in section 1075.1855 may be sold in such other manner as provided in the plan with the Commissioner's approval.

g)

That the converted savings bank shall issue and sell, instead of shares of its capital stock, units or securities consisting of capital stock and warrants or other equity securities, in which event any reference in this Subpart to capital stock shall apply to such units of equity securities unless the context otherwise requires.

h)

That, instead of a separate subscription offering, all subscription rights issued in connection with the conversion shall be exercisable by delivery of properly completed and executed order form to the underwriters or selling group for the public offering or pursuant to any other procedure, subject to any intent demonstrated by the commission that the feasibility of this method is exercised in the plan and such conditions shall be provided in the plan of conversion. Such conditions shall include but not be limited to a condition requiring that orders for stock in the public offering or direct community offering shall first be filled in the order of priority set forth in this Subpart by orders of persons exercising subscription rights.

i)

Any person exercising subscription rights to purchase capital stock may be required to purchase a minimum number of shares to the extent the shares are available but the aggregate price for any minimum share purchase requirement shall not exceed five hundred dollars.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1930

Approval of Other Provisions

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

The Commissioner may approve other provisions upon a written finding that the provision is not inequitable to members and will not injure the converting savings bank. The written findings shall include grounds as to why the provision is not inequitable or injurious.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1935 Amount of Qualifying Deposit of Eligible Account Holder or Supplemental Eligible Account Holder

- a) Unless otherwise provided in the plan of conversion, the amount of the qualifying deposit of an eligible account holder or supplemental eligible account holder shall be the total of the deposit balances in the eligible account holder's or supplemental eligible account holder's deposit accounts in the converting savings bank as of the close of business on the eligibility record date or supplemental eligibility record date. However, the plan of conversion may provide that any deposit accounts with total deposit balances of less than \$1000 (or any lesser amount) shall not constitute a qualifying deposit.

- b) As used in this Section, the term "deposit account" includes a predecessor or successor account of a given savings account which is held only in the same right and capacity and on the same terms as the given deposit account. However, the plan of conversion may provide for lesser requirements for determining predecessor or successor accounts.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1940 Liquidation Account -- Establishment Required -- Amount -- Function

Each converted savings bank shall, at the time of conversion, establish a liquidation account in an amount equal to the amount of net worth of the converting savings bank as of the latest practicable date before conversion. For purposes of this Section, the savings bank, in the final offering circular, shall use the net worth figure stated in its most recent audited statement of financial condition, prepared according to Generally Accepted Accounting Principles ("Accounting Standards Current Text General Standards", June 1, 1992, no subsequent dates or editions, Financial Accounting Standards Board, 401 Merritt 7, P.O. Box 518, Norwalk, CT 06856-5116). The function of the liquidation account

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

is to establish a priority to be followed on liquidation and, except as provided in Section 1075.1970, the existence of the liquidation account shall not operate to restrict the use or application of any of the capital accounts of the converted savings bank.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1945 Liquidation Account -- Maintenance Required -- Subaccounts

The liquidation account shall be maintained by the converted savings bank for the benefit of eligible account holders and supplemental eligible account holders who maintain their savings accounts in the bank. Each such eligible account holder and supplemental eligible account holder shall, with respect to each savings account, have a related inchoate interest in a portion of the liquidation account balance ("subaccount").

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1950 Liquidation Account -- Distribution Upon Complete Liquidation

In the event of a complete liquidation of the converted savings bank (and only in this event), each eligible account holder and supplemental eligible account holder shall be entitled to receive a liquidation distribution from the liquidation account, in the amount of the then current adjusted subaccount balances for savings accounts then held, before any liquidation distribution may be made with respect to capital stock, no merger, consolidation, purchase of bulk assets with assumption of savings accounts, and other liabilities, or similar transaction, in which the converted savings bank is not the survivor, is considered to be a complete liquidation for this purpose. In these transactions, the liquidation account shall be assumed by the surviving institution.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1955 Liquidation Account -- Determination of Subaccount Balances

The initial subaccount balance for a savings account held by an eligible account holder or supplemental eligible account holder shall be determined by multiplying the opening balance in the liquidation account by a fraction of which the numerator is the amount of qualifying deposits in the savings account on the eligibility record date or the supplemental eligibility record date

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

and the denominator is the total amount of qualifying deposits of all eligible account holders and supplemental eligible account holders in the converting savings bank on these dates. For savings accounts in existence at both dates, separate subaccounts shall be determined on the basis of the qualifying deposits in these savings accounts on these record dates. The initial subaccount balances shall not be increased, and it shall be subject to downward adjustment as provided in section 1075.1960.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1960 Reduction of Subaccount Balance

If the deposit balance in any deposit account of an eligible account holder or supplemental eligible account holder at the close of business on any annual closing date subsequent to the respective record dates is less than the lesser of:

- a) the deposit balance in the deposit account at the close of business on any other annual closing date subsequent to the eligibility record date; or
- b) the amount of qualifying deposit as of the eligibility record date of the supplemental eligibility record date. The subaccount balance for the deposit account shall be adjusted by reducing the subaccount balance to an amount proportionate to the reduction in the deposit balance. The account balance at downward adjustment shall be the subaccount balance shall not be subsequently increased. If the deposit balance is increased, the deposit account shall be adjusted to the related deposit account. If any such deposit account is closed, the related subaccount balance shall be reduced to zero.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1965 Converted Savings Bank Prohibited from Repurchasing its Stock Without Approval

- a) No converted savings bank shall for a period of three years from the date of the completion of the conversion repurchase any of its capital stock from any person, except that this restriction shall not apply to:

- 1) a repurchase, on a pro rata basis pursuant to an offer made to all shareholders of such savings banks, except if any such repurchase, when aggregated with all such repurchases during the

immediately preceding six calendar months, would result in the repurchase of 10 percent or more of the savings bank's outstanding capital stock, the savings bank shall provide to the Commissioner, not later than 30 days before the repurchase, written notice containing a full description of the repurchase program to be undertaken and the effect of such repurchases on its capital position;

- b) Regarding subsection (a)(1) above, the Commissioner shall disapprove the repurchase program based upon a determination that:

- A) the repurchase program would adversely affect the financial condition of the savings bank; or
 - B) the information submitted by the savings bank is insufficient upon which to base a conclusion as to whether the savings bank's financial condition would be adversely affected; or
 - C) the repurchases would reduce the savings bank's capital below the requirements established by the Commissioner or Federal law.
- 2) the repurchase of qualifying shares of a director; or
 - 3) a purchase in the open market by an employee stock benefit plan or a management recognition plan in an amount reasonable and appropriate to fund the plan.
- c) Regarding approval required by this Section, if the Commissioner neither disapproves the repurchase or requests additional information within 30 days of receipt of notice by the Commissioner, the repurchase shall be considered approved.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1970 Limitation on Cash Dividends

No converted savings bank may declare or pay a cash dividend on, or repurchase any of, its capital stock unless the declaration or payment of the dividend or repurchase would be in accordance with the requirements of Section 5001(c) of the Act and would not reduce the capital of the converted savings bank below the greatest of:

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

- a) the amount required for the liquidation account;
- b) the amount required by the Commissioner; or
- c) the amount required by federal law.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1975 Dividends on Preferred Stock

A converted mutual savings bank may pay dividends on preferred stock at the rate or rates agreed in connection with the issuance of preferred stock if such issuance has been approved by the Commissioner. However, the Commissioner shall approve no issuance or payment that would reduce the capital of the converted savings bank below the greatest of:

- a) the amount required for the liquidation account;
- b) the amount required by the Commissioner; or
- c) the amount required by federal law.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1980 Prohibitions on Offer, Sale, or Purchase of Securities

- a) In the offer, sale, or purchase of securities issued incident to its conversion, no savings bank or any director, officer, attorney, agent, or employee thereof may:

- 1) employ any device, scheme or artifice to defraud;
 - 2) obtain money or property by any untrue statement of a material fact or any omission to state a material fact necessary to make the statements made, in the light of the circumstances under which they were made, not misleading; or
 - 3) engage in any act, transaction, practice, or course of business which operates or would operate as a fraud or deceit upon a purchaser or seller.
- b) In addition, any act that the U.S. Securities Exchange Commission finds violates Section 10 of the U.S.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

Securities Exchange Act of 1934 (15 U.S.C. 78i) or Rule 10b-5, as promulgated by the U.S. Securities Exchange Act of 1934 (17 CFR 240.10b-5) shall be considered a violation of this Section. A violation found by the Securities Exchange Commission includes, regardless of pending of appeal, any violation found by the Commission, any violation admitted via violation proved or admitted with or without indictment, co-conspirator or any conviction for violation of the U.S. Securities Exchange Act of 1934 (15 U.S.C. 78i) or Rule (17 CFR 240.10b-5) as promulgated by the U.S. Securities Exchange Commission, and any violation found by any body of competent jurisdiction of the Securities Exchange Act of 1934 (15 U.S.C. 78i) or Rule (17 CFR 240.10b-5) as promulgated by the U.S. Securities Exchange Commission.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1985 Acquisitions of Control of a Converted Savings Bank

Acquisition of control of a converted savings bank shall be ineffective and void unless in accordance with Section 8015 of The Act and Section 1075.1700.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1990 Articles of Incorporation - Restrictions Permitted

- a) A converting savings bank's articles of incorporation may include the following provision:

- 1) Certain Provisions Applicable for Five Years. Notwithstanding anything contained in the savings bank's charter article, articles of incorporation, or bylaws to the contrary, for a period of (specify number of years up to five) years from the date of completion of the conversion of the savings bank from mutual to stock form, the following provisions shall apply:

- A) Beneficial Ownership Limitation. Except for sales of stock required by the federal insurer of accounts or the Commissioner of Savings and Residential Finance, no person shall directly or indirectly offer to acquire or acquire the

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

beneficial ownership of more than 10 percent of any class of an equity security of the savings bank. This limitation shall not apply to a transaction in which the savings bank forms a holding company without change in the respective beneficial ownership interests of its stockholders other than pursuant to the exercise of any dissenter and appraisal rights, the purchase of shares by underwriters in connection with a public offering, or the purchase of shares by an employee stock benefit plan. In the event shares are acquired in violation of this Section, all shares beneficially owned by any person in excess of 10% shall be considered "excess shares" and shall not be counted as shares entitled to vote as voting shares in connection with any matters submitted to the stockholders for a vote. For purposes of this provision, the following definitions apply: the term "person" includes an individual, a group acting in concert, a corporation, a partnership, an association, a joint stock company, a trust, an unincorporated association or similar company, a syndicate or partnership, and any other legal entity; the term "offer" includes every offer to buy or otherwise acquire securities of the savings bank; the term "offer" includes every offer to offer to sell, tender offer for, or request or invitation for tenders of a security or interest in a security for value; the term "acquire" includes every type of acquisition, whether effected by purchase, exchange, operation of law or otherwise; and the term "acting in concert" means knowing participation in a joint activity or conscious parallel action towards a common goal whether pursuant to an express agreement, or a combination or pooling of voting or other interests in the securities of an issuer for a common purpose pursuant to any contract, understanding, relationship, agreement or other arrangements, whether written or otherwise.

B) Cumulative Voting Limitation. Stockholders shall not be permitted to cumulate their votes for election of directors.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

C) Call for Special Meetings. Special meetings of stockholders relating to changes in control of the association or amendments to its charter shall be called only upon direction of the board of directors.

2) If the savings bank chooses to include the provisions allowed pursuant to this subsection, the language in subsection (a)(1) above constitutes the exact language that shall be used in the savings bank's articles of incorporation, except that in the subsection (a)(1) above, a number of years, up to 5 years, shall be substituted for the language, "specify number of years up to five".

b) There may also be included in the articles of incorporation any provision that could be approved as an amendment pursuant to Section 1075.1710. Such provisions must be approved by the Commissioner. Application for such approval must include independent counsel's opinion that the proposed provision would be permitted to be adopted in a corporation chartered by Illinois pursuant to the Business Corporation Act of 1983.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.1995 Confidentiality of Consideration to Convert - Remedial Measures for Breach

A savings bank which is considering converting pursuant to this Subpart and its directors, officers and employees shall keep this consideration in the strictest confidence and shall only discuss the potential conversion as would be consistent with the need to prepare information for filing an application for conversion. Should this confidence be breached, the Commissioner may require remedial measures including:

- a) a public statement by the savings bank that its board of directors is currently considering converting pursuant to this Subpart;
- b) providing an eligibility record date which shall be as of such a date before the adoption of the plan by the converting savings bank's board of directors as to assure that the conversion is equitable;
- c) limitation of the subscription rights of any person

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

- violating or aiding the violation of this Section: and
- d) any other actions the Commissioner may consider appropriate and necessary to assure the fairness and equitability of the conversion.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993)

Section 1075.2000 Public Statement Authorized

If it should become essential as a result of rumors before the adoption of a plan of conversion by the applicant's board of directors, a public statement limited to that purpose may be made by the applicant.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993)

Section 1075.2005 Adoption of Plan of Conversion -- Notice to and Inspection by Account Holders -- Statement and Letter -- Press Release Authorized

- a) Promptly after the adoption of a plan of conversion by not less than two-thirds of its board of directors, the savings bank shall:

- 1) Notify its account holders of the action by publishing a statement in a newspaper having general circulation in each community in which an office of the savings bank is located or by mailing a letter to each of its account holders; and
 - 2) Have copies of the adopted plan of conversion available for inspection by its account holders at each office of the savings bank.
- b) The savings bank may also issue a press release with respect to the action. Copies of the proposed statement, letter, and press release are not required to be filed with the Commissioner but may be submitted to the Commissioner for comment. Copies of the definitive statement, letter, and press release shall be filed with the Commissioner as part of the application for conversion.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993)

Section 1075.2010 Statement, Letter and Press Release -- Content Permitted

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

The statement, letter, and press release of the applicant issued pursuant to Section 1075.2005, unless otherwise authorized by the Commissioner, shall contain only (but need not contain all of) the following:

- a) A statement that the board of directors has adopted a plan to convert the savings bank from a mutual savings bank to a capital stock savings bank;
- b) A statement that the plan of conversion is subject to approval by the Commissioner and by the appropriate federal regulatory authority or authorities (naming such an authority or authorities) before the plan can become effective and that account holders of the applicant will have an opportunity to file written comments, including objections and materials supporting the objections with the Commissioner;
- c) A statement that the plan of conversion is contingent upon obtaining favorable tax rulings from the Internal Revenue Service or an appropriate tax opinion;
- d) A statement that there is no assurance that the approval of the Commissioner or the approval of any appropriate federal authority or authorities will be obtained, and also no assurance that the favorable tax rulings or tax opinion will be received;
- e) The proposed record date for determining the eligible account holders entitled to receive nontransferable subscription rights to purchase capital stock of the applicant;
- f) A brief statement describing the circumstances that would require supplemental eligible account holders to receive nontransferable subscription rights to purchase capital stock of the applicant;
- g) A brief description of the plan of conversion;
- h) The par value and approximate number of shares of capital stock to be issued and sold under the plan of conversion;
- i) A brief statement as to the extent to which directors, officers, and employees will participate in the conversion.

NOTICE OF ADOPTED AMENDMENTS

- il A statement that savings account holders will continue to hold accounts in the converted savings bank identical as to dollar amount, rate of return, and general terms and that their accounts will continue to be insured by the Federal Deposit Insurance Corporation.
- kl A statement that borrowers' loans will be unaffected by conversion and that the amount, rate, maturity, security, and other conditions will remain contractually fixed as they existed before conversion.
- ll A statement that the normal business of the savings bank in accepting savings and making loans will continue without interruption; that the converted savings bank will continue after conversion to conduct its present services to savings account holders and borrowers under current policies to be carried on in existing offices and by the present management and staff.
- ml A statement that the plan of conversion may be substantively amended or ended by the board of directors with the concurrence of the Commissioner, and
- nl A statement that questions of account holders may be answered by telephoning or writing to the savings bank.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993)

Section 1075.2015 Statement, Letter and Press Release - Contents Prohibited -- Inquiries

The statement, letter, and press release of the applicant issued pursuant to Section 1075.2005 shall not include financial statements or describe the benefits of conversion or the value of the capital stock of the savings bank upon conversion. In replying to inquiries, the savings bank should limit its answers to the matters listed in Section 1075.2010.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993)

Section 1075.2020 Notices of Filing of Application -- Requests for Subscription Offering Circular

- al Upon determination that an application for conversion is properly executed and is not materially incomplete, the Commissioner shall advise the applicant, in writing, to publish notices of the filing of the application. Promptly after receipt of the advice, the applicant shall

NOTICE OF ADOPTED AMENDMENTS

prominently post the notice in each of its offices and publish a notice of the filing in a newspaper printed in the English language and having general circulation in each community in which an office of the applicant is located.

The first notice shall be entitled: "Notice of Filing of an Application for Approval to Convert to a Stock Savings Bank".

- bl The first paragraph under the title shall read as follows:

"Notice is hereby given that, pursuant to 38 Ill. Adm. Code 1075.2020, (fill in name of applicant), has filed an application with the Commissioner of Savings and Residential Finance for approval to convert to the stock form of organization. Copies of the application have been delivered to the Commissioner's Office in Chicago and Springfield, Illinois."

- al The second paragraph under the title shall read as follows:

"Written comments, including objections to the plan of conversion and materials supporting the objections, from any account holder of the applicant or otherwise, person, will be considered by the Commissioner if filed within twenty business days after the date of this notice. Failure to make written comments in objection may preclude the pursuit of any administrative or judicial remedies. Three copies of the comments should be sent to the aforementioned. The proposed plan of conversion and any comments thereon will be available for inspection by any account holder of the applicant at the Commissioner's Office in Chicago and Springfield, Illinois. A copy of the plan may also be inspected at each office of the applicant."

- el If a significant number of the applicant's account holders speak a language other than English and a newspaper in that language is published in the area served by the applicant, an appropriate translation of the notice shall also be published in that newspaper. A copy of the notice may be sent by mail to the converting savings bank's depositors with a statement

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

that the converting institution will not mail a subscription offering circular to an eligible account holder or a supplemental eligible account holder unless the eligible account holder or the supplemental eligible account holder, before the beginning of the subscription offering, requests the subscription offering circular by returning a postcard. The issuer of stock in the conversion shall pay the postage on this postcard and shall inform the eligible account holder of the supplemental eligible holder that the postage is paid."

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2025 Filing of Notice and Affidavit of Publication Required

Promptly after publication of the notices prescribed in Section 1075.2020 in this Part, the applicant shall file with the Commissioner the notice and affidavit of publication from each newspaper publisher in the manner the Commissioner shall require.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2030 Application Available for Public Inspection - Confidential Information

Should the applicant desire to submit any information it considers to be of a confidential nature regarding any portion of the application under this subpart, such information may be submitted pursuant to Section 1075.2220(k).

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2035 Solicitation of Proxies: Proxy Statements

a) Solicitations to which this Section applies -- this Section applies to every solicitation of a proxy from a member of a savings bank for the meeting at which a plan of conversion will be voted upon, except the following:

- 1) any solicitation made otherwise than on behalf of the management of the savings bank where the total number of persons solicited is not more than 50;
- 2) any solicitation through the medium of a newspaper advertisement which informs members, following approval of the plan of conversion of a source from which they may obtain copies of a proxy

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

statement, form of proxy, or any other solicitation material and does no more than:

- A) name the savings bank.
- B) state the reason for the advertisement.
- C) identify the proposal or proposals to be acted upon by members, and
- D) urge members to vote at the meeting.

b) Use of Proxy. Soliciting Material To Be Authorized -- no proxy solicitation material required to be filed with the Commissioner before use shall be furnished to members or otherwise released for distribution until the use of such material has been authorized in writing by the Commissioner. Proxy material authorized for use by the Commissioner shall be mailed to the members within 10 days of such authorization unless extended by the Commissioner in writing upon a showing that adherence to the ten day rule would work a hardship upon the savings bank and that the delay, if approved, would not be disadvantageous to any interested party.

c) Information To Be Furnished Members -- no solicitation shall be made unless each person solicited is concurrently furnished, or has previously been furnished, a written proxy statement the use of which has been authorized in writing by the Commissioner.

d) Requirements As To Proxy:

1) The form of proxy shall:

- A) indicate in bold face type whether the proxy is solicited on behalf of management;
- B) provide specifically designated blank spaces for dating and signing the proxy;
- C) identify clearly and impartially each matter or group of related matters intended to be acted upon;
- D) be clearly labeled "Revocable Proxy" in bold face type of at least 18 point;

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

- E) describe any charter or state law requirement restricting or conditioning voting by proxy;
- F) contain an acknowledgement by the person giving the proxy that the person has received a proxy statement before signing the form of proxy;
- G) contain the date, time, and place of meeting, if practicable;
- H) provide, by a box or otherwise, a means whereby the person solicited is afforded an opportunity to specify by ballot a choice between approval or disapproval of each matter intended to be acted upon; and
- I) indicate in bold face type how the proxy shall be voted on each such matter if no choice is specified.
- 2) No proxy obtained pursuant to the conversion shall confer authority to vote at any meeting other than the meeting, or any adjournment thereof, to vote on the plan of conversion. A proxy may be considered to confer authority to vote with respect to matters incident to the conduct of such meeting, if the plan of conversion is considered an annual meeting, existing proxies may be voted with respect to matters not related to the plan of conversion or in accordance with subsection (d)(4) below.

- 3) The proxy statement or form of proxy shall provide that the votes represented by the proxy will be voted. Where the person solicited specifies by a ballot provided pursuant to subsection (d)(1)(H) above a choice with respect to any matter to be acted upon, the votes will be voted in accordance with the specifications. If no choice is specified, the votes will be cast as indicated in bold face type on the form of proxy.

- 4) Notwithstanding any other provisions of this subsection, the proxy may be in a form previously obtained from a voting member and conferring general authority to vote on all matters at any meeting of the members or other authority to vote on matters to be presented at the special meeting if the voting member has been furnished a proxy statement conforming with Sections 1075.2300 through 1075.2460

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

- and has been notified that a previously obtained proxy will be exercised if the voting member does not grant a later-dated proxy to vote at the meeting to consider the plan of conversion or attend the meeting and vote in person.
- e) Material Required To Be Filed:
- 1) Applicants shall file a preliminary copy of the proxy materials required by Sections 1075.2300 through 1075.2460.
- 2) A preliminary copy of any additional solicitation material including press release and radio or television scripts, to be used or furnished to members subsequent to furnishing the proxy statement, shall be filed with the Commissioner at least 5 business days before the date on which the Commissioner is requested to authorize the use of such material. Speeches may, but need not, be filed with the Commissioner before use.

- 3) A copy of the proxy statement and a copy of the form of proxy and all other solicitation material in the form in which such material is furnished to members shall be filed with or mailed for filing to the Commissioner not later than the date such material is first sent or given to members. All materials filed pursuant to this subsection shall be with a statement of the date on which copies of such materials are to be released to members.

- 4) If the solicitation is to be made in whole or in part by personal solicitation, a preliminary copy of all written instructions or other material which discusses or reviews, or comments upon the merits of, any matter to be acted upon and which is to be furnished to the individuals making the actual solicitation for their use directly or indirectly in connection with the solicitation shall be filed with the Commissioner at least 5 business days before the date on which the Commissioner is requested to authorize the use of such material.

- 5) All preliminary copies of material filed pursuant to subsections (e)(1), (2), and (4) above shall be clearly marked on the cover page "Preliminary Copy." Such preliminary copies shall be for the information

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

of the Commissioner only and shall not be available for public inspection except that such material may be disclosed to any department or agency of the United States, this State, or any other state, that has concurrent jurisdiction over the applicant. The Commissioner may make such inquiries or investigation in regard to the material as may be necessary for an adequate review.

- 6) Unless requested by the Commissioner, copies of replies to inquiries from members and copies of communications which do no more than request that forms of proxy theretofore solicited be signed and returned need not be filed pursuant to this subsection.

- 7) Where any proxy statement, form of proxy or other material filed pursuant to this subsection is material of revised copies of such material are provided or revised material filed with the Commissioner shall be marked to indicate clearly and precisely the changes effected subsequent to the previous filing.

f)

Mailing Communications For Member -- if the applicant has adopted a plan of conversion, the applicant shall perform such of the following acts as may be duly requested in writing with respect to a matter to be considered at the meeting to vote on the plan of conversion by any member who will defray the reasonable expenses to be incurred by the applicant in the performance of the act or acts requested:

- 1) The applicant shall mail or otherwise furnish to such member the following information as promptly as practicable after the receipt of such request:

A) a statement of the approximate number of members who have been or are to be solicited on behalf of management, or any group of members which the member shall designate.

B) an estimate of the cost of mailing a specified proxy statement, form of proxy, or the communication to such members.

- 2) Copies of any proxy statement, form of proxy, or other communication furnished by the member and as approved by the Commissioner shall be mailed by the

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

applicant to such of the members specified in subsection (f)(1)(A) above as the member may designate.

- 3) Any such material which is furnished by the member shall be mailed with reasonable promptness by the applicant after receipt of the material to be mailed, including envelopes or other containers, and the appropriate postage or payment for postage.
- 4) Neither management nor the applicant shall be responsible for such proxy statement, form of proxy, or other communication.

g) False And Misleading Statements:

- 1) No solicitation of a proxy by the applicant, its management, or any other person for the meeting to vote on the plan of conversion shall be made using any proxy statement, form of proxy, notice of meeting, or other communication, written or oral, containing any statement which at the time and in the light of the circumstances under which it is made is false or misleading with respect to any material fact or which omits any material fact necessary in order to make the statements therein not false or misleading or necessary to correct any statement in any earlier communication with respect to the solicitation of a proxy for the meeting which has become false or misleading.

- 2) The fact that a proxy statement, form of proxy, or other solicitation material has been filed with or examined by the Commissioner and authorized for use shall not be considered a finding by the Commissioner that such material is accurate or complete or not false or misleading, or that the Commissioner has passed upon the merits of or approved any proposal contained therein. No representation to the contrary shall be made by any person.

- 3) If a solicitation by management violates any provision of this Section, the Commissioner may require remedial measures including:

A) correction of any such violation by a retraction and new solicitation.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

- B) rescheduling of the meeting for a vote on the plan of conversion, and
- C) any other actions the Commissioner finds appropriate under the circumstances in order to ensure a fair vote.
- h) Prohibition of Certain Solicitations -- no person soliciting a proxy from a member for the meeting to vote on the plan of conversion shall solicit:
- 1) any undated or post-dated proxy; or
 - 2) any proxy which provides that it shall be dated as of any date subsequent to the date on which it is signed by the members; or
 - 3) any proxy which is not revocable at will by the member giving it; or
 - 4) any proxy which is part of any other document or instrument, such as an account card.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993)

Section 1075.2040 Vote by Members

- a) Following approval of the plan of conversion by the Commissioner, the plan of conversion shall be submitted for consideration to an annual or special meeting of members.
- b) Notice of the meeting to consider a plan of conversion shall be given by the proxy statement authorized for use by the Commissioner. For the purposes of this subsection, the proxy statement may be in summary form.
- 1) A statement is made in bold-face type on the notice to members required under this subsection that a more detailed description of the proposed transaction may be obtained by returning an attached postage-paid postcard or other written communication requesting a supplemental information statement
requesting a supplemental information statement which, together with the summary proxy statement, complies with the requirements of this Subpart;

- 2) The last date on which the summary proxy statement is mailed to members will be considered the date on which notice is given for the purposes of this subsection. Without prior approval by the Commissioner, the special meeting of members shall not be held fewer than 20 days after the last date on which the supplemental information statement is mailed to requesting members.
- 3) The supplemental information statement required to be furnished to members may be combined with any form prescribed under Sections 1075.2500 through 1075.2580, if the subscription offering is started concurrently with or during the proxy solicitation period pursuant to Section 1075.1925(a);
The summary proxy statement shall be prepared in accordance with the following requirements:
- A) All the requirements of Sections 1075.2300 through 1075.2460, except:
 - i) Section 1075.2360;
 - ii) Section 1075.2370(c) through (m) and (o);
 - iii) Section 1075.2440; and
 - iv) Section 1075.2450(b)
 - B) The disclosure requirements of Sections 1075.2380(i), 1075.2390 and 1075.2430 may be prepared in summary form.
 - C) The disclosure requirements of Section 1075.2350 may be met through disclosure of the names, ages, and present occupations of all directors and executive officers.
 - D) The plan of conversion shall not be required to be attached to the summary proxy statement under Section 1075.2460.
- c) The plan of conversion shall be approved by a vote of at least two-thirds of the total outstanding votes.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993)

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

Section 1075.2045 Offers and Sales of Securities -- Prohibitions

No offer to sell securities of an applicant pursuant to a plan of conversion may be made before approval by the Commissioner of the application for conversion and before approval of the necessary amendments to the offering circular. No offer to sell securities pursuant to the subscription offering may be made except by the final offering circular for the subscription offering. No sale of unsubscribed securities may be made except by the final offering circular for the public offering or direct community marketing. The offering of shares in the direct community marketing may begin during the subscription offering upon the declaration of effectiveness by the Commissioner of the offering circular proposed for the community offering. This section shall not apply to preliminary negotiations or agreements between an applicant and any underwriter or among underwriters who are to be in privity of contract with the applicant.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2050 Distribution of Offering Circulars Authorized

Any preliminary offering circular for the subscription offering, the public offering, or the direct community marketing which has been filed with the Commissioner may be distributed to eligible account holders or supplemental eligible account holders and to others in connection with the offering after the Commissioner has advised the applicant in writing that the application is properly executed and is not materially incomplete under Section 1075.2020. No final offering circular may be distributed until the offering circular has been declared effective by the Commissioner.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2055 Preliminary Offering Circular for Subscription Offering -- Estimated Subscription Price Range Required

With respect to the capital stock of the applicant to be sold under the plan of conversion any preliminary offering circular for the subscription offering may set forth the estimated subscription price which may be stated as the pro forma market value.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2060 Review of Price Information by Commissioner

The Commissioner shall review the price information required under

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

Section 1075.2055 in determining whether to give approval to an application for conversion. No representations may be made in any manner that the price information has been approved by the Commissioner or that the shares of capital stock sold pursuant to the plan of conversion have been approved or disapproved by the Commissioner or that the Commissioner has passed upon the accuracy or adequacy of any offering circular covering the shares.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2065 Underwriting Commission

Underwriting commissions shall not exceed an amount or percentage per share accepted as reasonable by the Commissioner. No underwriting commission may be allowed or paid with respect to shares of capital stock sold in the subscription offering; however, an underwriter may be reimbursed for accountable expenses in connection with the subscription offering. In the case in which no public offering occurs, an underwriter may be paid a consulting fee reasonable under the circumstances as the Commissioner shall accept. The term "underwriting commissions" includes underwriting discounts.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2070 Consideration of Pricing Information by Commissioner -- Guidelines

In considering the pricing information required under Section 1075.2055, the Commissioner shall apply the following guidelines.

- The materials shall be prepared by persons independent of the applicant, experienced and expert in the area of corporate appraisal, and acceptable to the Commissioner.
- The materials shall contain data which are sufficient to support the conclusions reached therein.
- The materials shall contain a complete and detailed description of the appraisal methodology employed.
- To the extent that the appraisal is based on a capitalization of the pro forma income of the converted savings bank, the materials shall indicate the basis for determination of the pro forma income and derived from the accumulation of the sale of stock and demonstrate the appropriateness of the earnings multiple used, including assumptions made as to future earnings growth. To the

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

extent that the appraisal is based on comparison of the capital stock of the applicant with outstanding capital stock of existing stock savings banks or stock savings associations the materials shall demonstrate the adequate comparability of the form and substance of the outstanding capital stock and of the existing stock savings banks and stock savings and loan associations in terms of such factors as size, market area, competitive conditions, profit history, and expected future earnings.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2075 Submission of Information by Applicant

a) In addition to the information required in Section 1075.2070, the applicant shall submit information demonstrating to the satisfaction of the Commissioner the independence and expertise of any person preparing materials under Section 1075.2070. However, a person will not be considered as lacking independence because the person will participate in effecting the sale of capital stock under the plan of conversion or will receive a fee from the applicant for services given in connection with the appraisal only if the person provides full and accurate disclosure of the fact of participation and receipt of fee to the Commissioner and in the offering circular. The Commissioner shall find no disclosure full and adequate unless the following information is clearly and prominently stated:

- 1) the extent to which the person is directly or indirectly involved in preparing material required by Section 1075.2070 and in effecting the sale of capital stock under the conversion plan; and
 - 2) an itemized statement of fees received for preparing information required by Section 1075.2070 and for all other services given.
- b) The Commissioner may require additional disclosures where necessary to ensure the integrity and accuracy of the information presented pursuant to Section 1075.2070.
- c) No information provided pursuant to Section 1075.2070 shall be approved by the Commissioner unless the Commissioner finds that full and adequate disclosure required by this Section has been made.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2080 Subscription Offering -- Distribution of Order Forms for the Purchase of Shares

Promptly after the Commissioner has declared the offering circular for the subscription offering effective, the applicant shall distribute order forms for the purchase of shares of capital stock in the subscription offering to all eligible account holders, supplemental eligible account holders (if applicable), and other persons who may subscribe for the shares under the plan of conversion.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2085 Order Forms -- Final Offering Circular and Detailed Instructions

Each order form distributed pursuant to Section 1075.2080 shall be accompanied or preceded by the final offering circular for the subscription offering and a set of detailed instructions explaining how to properly complete the order forms.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2090 Subscription Price

The maximum subscription price stated on each order form distributed pursuant to Section 1075.2080 shall be the amount to be paid when the order form is returned.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2095 Order Form -- Contents

Each order form distributed pursuant to Section 1075.2080 shall be prepared so as to indicate to the person receiving it, in as simple, clear, and intelligible a manner as possible, the actions which are required or available to the person with respect to the form and the capital stock offered for purchase thereby. Specifically, each order form shall:

- a) Indicate the maximum number of shares that may be purchased pursuant to the subscription offering;
- b) Indicate the time within which the subscription rights must be exercised, which time shall not be less than 20

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

days following the date of the mailing of the order form:

- a) State the maximum subscription price per share of capital stock;
- d) Indicate any requirements as to the minimum number of shares of capital stock which may be purchased;
- e) Provide a specifically designated blank space or spaces for indicating the number of shares of capital stock which the eligible account holder or other person wishes to purchase;
- f) Indicate that payment may be made by cash, if delivered in person, or by check, if withdrawal from an account holder's savings account. If payment is to be made by withdrawal, a box to check should be provided;
- g) Provide specifically designated blank spaces for dating and signing the order form;

h) Contain an acknowledgment by the account holder or other person signing the order form that the person has received the final offering circular for the subscription offering before signing; and

- i) Indicate the consequences of failing to properly complete and return the order form, including a statement that the subscription rights are nontransferable and will become void at the end of the subscription period. The order form may, and the set of instructions shall, indicate the place or places to which the order forms are to be returned and when the applicant will consider order forms received, such as by date and time of actual receipt in the applicant's offices or by date and time of postmark.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2100 Order Form -- Additional Provision Authorized -- Payment by Withdrawal

The order form distributed pursuant to Section 1075.2080 may provide that it may not be modified without the applicant's consent after its receipt as set forth in the order form. If payment is to be made by withdrawal from a savings account the applicant may, but need not, indicate that withdrawal is to be made upon receipt of the order form. If the withdrawal is made at any time before the closing date of the public offering, the applicant shall pay

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

interest to the account holder on the amount withdrawn as if the amount had remained in the account from which it was withdrawn until the closing date. If the withdrawal is not made until the closing date, the amount to be withdrawn on the closing date is unavailable for withdrawal by account holder.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2105 Time Period for Completion of Sale of all Shares of Capital Stock

The sale of all shares of capital stock of the converting savings bank to be made under the plan of conversion, including any sale in public offering or direct community marketing, shall be completed as promptly as possible and within forty-five calendar days after the last date of the subscription period, unless extended by the Commissioner.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2110 Continuity of Corporate Existence

Upon the filing of the articles of incorporation of a converted savings bank with the Commissioner in accordance with Section 1075.2160, the corporate existence of the mutual savings bank converting to a stock savings bank pursuant to this subpart shall not discontinue, but the converted savings bank shall be a continuation of the entity of the mutual savings bank so converted and shall have the same rights and obligations as it had before the conversion.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2115 Application to Furnish Information

Every application shall furnish information in accordance with this subpart. If applicable, the applicant shall furnish information in accordance with Section 1075.1700.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2120 Additional Filing Requirements

An applicant whose plan of conversion has been approved by the Commissioner shall fulfill the following requirements.

- a) The applicant shall file with the Commissioner promptly after the meeting of members called to consider the plan

NOTICE OF ADOPTED AMENDMENTS

of conversion a certified copy of each resolution adopted at such meeting relating to the plan of conversion, together with the following statements:

- 1) The total number of votes eligible to be cast;
- 2) The total number of votes represented in person or by proxy at the meeting;
- 3) The total number of votes cast in favor of and against each such matter (the compilation of the votes cast at the meeting may be prepared for the savings bank by an independent public accountant, or by an independent transfer agent); and
- 4) The percentage of votes necessary to approve each such matter.

b) The applicant shall file with the Commissioner promptly after the meeting of savings bank members called to consider the plan of conversion an opinion of counsel to the effect that:

- 1) The meeting of members was duly held in accordance with all requirements of applicable law and regulation;
- 2) All requirements of state law applicable to the conversion have been complied with; and
- 3) If the savings bank has used proxies executed before the proxy solicitation required by Section 1075.2035, the authority conferred by such proxies includes authority to vote on the plan of conversion.

c) Each offering circular for the offering shall be prepared in compliance with this subpart. The applicant shall file with the Commissioner five copies of each preliminary offering circular and ten copies of each final offering circular.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2125 Availability for Conferences in Advance of Filing of Application -- Refusal of Prefiling Review

NOTICE OF ADOPTED AMENDMENTS

a) The Commissioner's office shall be available for conferences with prospective applicants or their representatives in advance of filing an application to convert. These conferences may be held to discuss generally the problems confronting an applicant in effecting conversion or to resolve specific problems of an unusual nature.

b) Prefiling review of an application may be refused by the staff of the Commissioner if the review would delay the examination and processing of material which has already been filed or would favor certain applicants at the expense of others.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2130 Appeal from Refusal to Approve Application

From the Commissioner's refusal to approve an application for conversion, the applicant may, within thirty days from the date of the mailing by the Commissioner of notice of refusal to approve, appeal pursuant to Subpart I of this Part and the Illinois Administrative Procedure Act (5 ILCS 100/1-1 et seq.).

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2135 Postconversion Reports

The applicant shall file such postconversion reports concerning its conversion as the Commissioner may require.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2140 Certain Agreement to Transfer and Transfers of Ownership in Rights or Securities Prohibited

Before completion of a conversion, no person may transfer or enter into any agreement or understanding to transfer the legal or beneficial ownership of conversion subscription rights, or the underlying securities, to the account of another.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2145 Certain Offers and Announcements on Securities Prohibited

Before completion of a conversion, no person may make any offer, or announcement of an offer or intent to make an offer, for any

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

security of a converting savings bank issued or to be issued in connection with the conversion. Nor shall any person knowingly acquire securities of the converted savings bank issued in connection with the conversion in excess of the maximum purchase limitations established in the savings bank's approved plan of conversion.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2150 Certain Offers and Acquisitions Prohibited

a) Except as required by the federal insurer of accounts or the Commissioner for three years following the date of the conversion, no person may directly or indirectly offer to acquire or acquire the beneficial ownership of more than ten percent of any class of an equity security of any savings bank converted in accordance with this Subpart without the prior written approval of the board of directors and of the Commissioner. Where any person, directly or indirectly, acquires beneficial ownership of more than ten percent of any class of any equity security of a savings bank converted in accordance with this Subpart, without the prior written approval of the Commissioner as required by this Section, the securities beneficially owned by such person in excess of ten percent shall not be counted as shares entitled to vote and shall not be voted by any person or counted as voting shares in connection with any matter submitted to the stockholders for a vote. For the purposes of this Section, a person shall be considered to have acquired beneficial ownership of more than ten percent of a class of equity security of a savings bank where the person holds any combination of stock or revocable or irrevocable proxies of the savings bank. In obtaining prior written approval of the Commissioner under this Section, the criteria for approval under subsection (d) below may be addressed, if applicable, by the filing required by Section 1075.1700 of this Part. Notwithstanding the immediately preceding sentence, acquisitions under this Section require approval of both the board of directors of the converting savings bank and of the Commissioner.

b) A conversion shall be complete on the date all the converting savings bank's conversion stock was sold.

c) An acquisition of shares shall be presumed to have been made if the acquirer entered into a binding written

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

agreement for the transfer of shares. An offer shall be considered made when communicated.

d) The Commissioner shall not approve an application involving an offer for an announcement thereof, or an acquisition of any security of a converted savings bank if the Commissioner finds that the offer frustrates the purposes of this Subpart, is manipulative or deceptive, subverts the fairness of the conversion, is likely to result in injury to the savings bank, is not consistent with Act, and otherwise tends to frustrate the intent of the Act, would tend to bring into the prudent deployment of the savings bank's conversion proceeds.

e) Subsection (a) above shall not apply to any offer with a view toward public resale made exclusively to the savings bank or to the underwriters or a selling group acting on its behalf.

f) Unless made applicable by the Commissioner by prior advice in writing, the restriction contained in subsection (a) above shall not apply to any offer or announcement of an offer which if consummated would result in the acquisition by a person, together with all other acquisitions by the person of the same class of securities during the preceding 12-month period, of not more than one percent of the class of securities.

g) Subsection (a) above shall not apply to the acquisition of securities of a savings bank or holding company thereof by any one or more employee stock benefit plans of such savings bank or holding company if the plan or plans do not have beneficial ownership in the aggregate of more than twenty-five percent (25%) of any class of equity security of the converted savings bank or holding company.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2155 Definitions -- Certain Transfers, Offers and Acquisitions Prohibited

For Sections 1075.2140, 1075.2145 and 1075.2150, the following definitions apply:

a) The term "person" includes an individual, a group acting in concert, a corporation, a partnership, an association, a joint stock company, a trust, an unincorporated

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

organization or similar company, a syndicate or any other group formed to acquire, hold or dispose of securities of a savings bank.

- b) The term "offer" includes every offer to buy or acquire, solicitation of an offer to sell, tender offer for, or request or invitation for tenders of, a security or interest in a security for value except that the term "offer" shall not include:

1) Inquiries directed solely to the management of a savings bank and not intended to be communicated to stockholders, designed to elicit an indication of management's receptivity to the basic structure of a potential acquisition with respect to the amount of securities, manner of acquisition and formula for determining price, or

2) Non-binding expressions of understanding or letters of intent with the management of a savings bank regarding the basic structure of a potential acquisition with respect to the amount of securities, manner of acquisition, and formula for determining price.

- c) The term "acquire" includes every type of acquisition, whether effected by purchase, exchange, operation of law or otherwise.

- d) The term "security" includes nontransferable subscription rights issued pursuant to a plan of conversion as well as a "security" as defined in the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)(10)).

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2160 Amendments to Charter Required in Application
 -- Articles of Incorporation -- Filing of
 Certificate Required -- Contents -- Issuance
 and Filing of Authorization Certificate

- a) An application for conversion under this Subpart shall include amendments to the articles of incorporation of the converting savings bank.

- b) When all the stock of a converting savings bank has been subscribed for in accordance with the plan and any amendments thereto, the board of directors shall there

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

upon issue the stock and shall cause to be filed with the Commissioner in triplicate, a certificate subscribed and acknowledged by the persons who are to be directors of the converted savings bank, stating:

- 1) That all the stock of the converted savings bank has been issued;
- 2) That the attached articles of incorporation have been executed by all the persons who are to be directors of the converted savings bank;

3) The place where the bank is to be located and its business transacted, naming the city, or town and county, which city or town shall be the same as that where the principal place of business of the predecessor mutual savings bank has been located;

- 4) The name, occupation, residence, and post office address of each signer of the certificate;

5) The amount of the assets of the predecessor mutual savings bank, the amount of its liabilities and undivided profits as of the first day of the current calendar month; and

- 6) A declaration that each signer will accept the responsibilities and faithful discharge the duties of a director of the converted savings bank and is free from all the disqualifications specified in the laws applicable to converted savings banks.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2165 Conversions Incident to Acquisition by Savings Bank Holding Company or Merger or Consolidation
 With Savings Bank Holding Company Subsidiary -
 - Restriction on Sale of Shares of Stock by
 Directors and Officers

- a) In a conversion of a mutual savings bank that is in the process of acquisition by a depository institution holding company or in the process of merger or consolidation with another depository institution, the restrictions imposed by Section 1075.1890 on the sale of stock apply to shares of the holding company purchased on the initial issue by any director or officer of the converting savings bank that is in the process of

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

acquisition, merger, or consolidation, and the restrictions imposed by this subpart apply to the ownership of capital stock in the depository institution holding company or other depository institution with the same force and effect as they would apply to the ownership of capital stock of the unconverted mutual savings bank, if shares of this savings bank were offered to depositors or the public pursuant to this subpart.

- b) The tender of shares by directors and officers of a converted savings bank in exchange for shares of another converted savings bank, or for shares of a holding company, do not constitute a sale for purposes of Section 1075.1890. However, the shares received in such an exchange shall not be sold for a period of one year following the date of such purchase on original issue, except that the Commissioner may waive this restriction upon a finding that allowing a sale would substantially contribute to averting otherwise unavoidable injury to a savings bank.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2170 Sale of Control in Connection with the Conversion of a Mutual Savings Bank to Capital Stock Savings Bank--Undercapitalized Mutual Savings Bank

- a) A mutual savings bank not meeting an applicable capital requirement as of the end of the most recent period for which such savings bank has prepared audited financial statements, may seek approval to convert to stock form pursuant to a plan of conversion which provides for the sale of its capital stock directly to an acquiror(s) who may be a person, company, depository institution, holding company, who will be in control of such savings bank upon the purchase of such capital stock. If the conversion is in accordance with applicable laws and regulations, the conversion may result in the converting savings bank being merged into or consolidated with an existing or newly created depository institution.

- b) The provisions of this section shall govern a conversion authorized by subsection (a) above. All other Sections of this subpart shall not apply to the conversion unless provided in the plan of conversion adopted by the board of directors of the converting savings bank or required by the Commissioner.

c)

A majority of the converting savings bank board of directors must adopt a plan of conversion that complies with this Section. The members of the association have no rights or approval or participation in a conversion under this Section or to the continuance of any legal or beneficial ownership interests in the converted savings bank, unless otherwise provided by the Commissioner. The members shall have an interest in a liquidation account established pursuant to Section 1075.1940 of this Subpart if one is established pursuant to subsection (h) below.

d)

In connection with approval under this Section, the Commissioner may impose conditions and restrictions on the converting or resulting institution, the acquiror, and controlling parties, directors and officers of either, to prevent unsafe and unsound practices, to protect the deposit insurance fund and the public interest, and to prevent potential injury or detriment to the converting or resulting institution.

e)

The Commissioner may deny savings bank's conversion if such conversion has the effect of converting resulting institution the acquiror or controlling parties or directors or officers of either have engaged in unsafe or unsound practices in connection with the conversion or that the conversion is detrimental to or would cause potential injury to the converting or resulting institution, deposit insurance funds, or is contrary to the public interest.

f)

For three years following the date of completion of a conversion under this Section, neither any controlling shareholder nor the resulting institution may acquire shares from minority shareholders without prior approval of the Commissioner.

g)

An application for conversion under this Section shall, at a minimum, include:

- 1) A plan of conversion adopted by a majority of the directors of the savings bank, which shall contain at a minimum the name and address of the savings bank; the names, addresses, dates and places of birth, and social security numbers of the proposed purchasers of conversion stock and their relationship to the savings bank; the title, per-

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

unit par value, number, and per-unit and aggregate offering price of shares of conversion stock to be authorized and issued; the number and percentage of shares of conversion stock to be purchased by each investor of the aggregate number of purchased shares of conversion stock to be purchased by directors, officers and their affiliates and associates; and a description of the liquidation proceeds if required under subsection (h) below, or if otherwise established; and certified copies of all resolutions of the board of directors relating to the plan of conversion;

2) A copy of any agreements between the savings bank and the proposed conversion stock purchasers;

3) An opinion of qualified, independent counsel or an independent, certified public accountant regarding the tax consequences to the savings bank arising from the conversion;

4) A business plan, which shall contain a description of the proposed operating policies of the savings bank or the resulting savings bank following the conversion, including a statement as to how the conversion proceeds will be used, and a projection of the savings bank's results of operations for the three-year period following completion of the conversion. The projections should show the continuing ability of the converted savings bank to meet applicable capital requirements. The savings bank shall specify the assumptions on which its projections are based;

5) An application under Section 1075.1700 of Subpart N of this Part;

6) The proposed charter and bylaws of the converted savings bank;

7) The proposed stock certificate form;

8) A description of all existing and proposed employment contracts, if applicable;

9) All findings required under the securities offering rules of this Subpart;

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

10) Applications for permission to organize a stock savings bank and for approval of a merger, if applicable, and FDIC insurance of accounts, if applicable;

11) Information to support the value of any non-cash assets to be contributed to the savings bank in connection with the conversion, if applicable. Appraisals submitted in this connection must be acceptable to the Commissioner;

12) A description of the estimated expenses of the conversion to the savings bank;

13) The savings bank's most recent audited financial statements with an appropriate explanation to support the determination that the savings bank's current capital levels qualify it to undertake a supervisory conversion;

14) "Pro forma" financial statements to reflect the effects of the transaction. These pro forma financial statements should be supplemented to identify the converting or resulting capital levels and show the appropriate adjustments necessary to compute such capital levels;

15) A specific description of any of the features of the savings bank's application that do not conform to the requirements of this Subpart;

16) A specific description of and detailed justification for any waivers or supervisory forebearances that are requested as part of the conversion;

17) A statement of all other applications required pursuant to Federal law for all transactions related to the savings bank's conversion, copies of all decisions, orders, opinions, and other similar dispositive documents issued by regulatory authorities relating to such applications, and if requested, copies of such applications and related documents; and

18) Opinion of financial advisor;

a) The savings bank shall be required to retain a reputable financial advisor with expertise

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

in valuing financial institutions to advise it as to the fairness or the consideration to be paid by the proposed acquiror. The financial advisor shall furnish a written opinion specifically informing the converting savings bank as to the fairness from a financial point of view to the converting savings bank of the proposed consideration.

- B) Such written opinion shall specifically disclose in reasonable detail:
- i) the professional standards employed by the financial advisor in arriving at its conclusions; and
 - ii) the factual basis upon which such conclusions were reached.

- C) The opinion shall specifically state whether the financial advisor, in arriving at his or her conclusions as to the fairness of the proposed consideration, has made efforts to determine whether his or her budgeting takes into account the significant probability that a financially able purchaser of the character generally capable of securing regulatory approval other than the proposed acquiror given an opportunity might have made good faith offers to purchase control of the converting savings bank for a consideration materially greater than that proposed to be paid by the proposed acquiror, and has compared the consideration to be paid by the proposed acquiror with the consideration paid in the purchase of other savings banks or savings and loan associations of comparable size, market area, profit history, competitive conditions and projected future earnings.

- D) If the financial advisor has made any such efforts or any such comparisons, the nature and scope of such efforts and comparisons shall be discussed in detail. The written opinion shall state whether and on what basis the financial advisor believes that the consideration to be paid by the proposed acquiror exceeds the aggregate amount of net

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

proceeds which the converting savings bank could have realized if the capital stock to be sold to the proposed acquiror had been sold in a subscription offering followed by an unwritten public offering. The written opinion shall be delivered to the Commissioner before any approval of the application for conversion will be granted by the Commissioner.

- h) A liquidation account must be established in accordance with Section 1075.1940 of the Subpart; however, the Commissioner may waive this requirement upon a written finding that the savings bank's net worth is or less than zero, or for other good cause upon a written finding that specifies the existence of such good cause.

- i) No solicitation of proxies in connection with a conversion pursuant to this Section shall be made unless the person so solicited is concurrently furnished with or has been previously furnished with a proxy statement or a short-form proxy statement complying with this Subpart. If the persons to whom capital stock is offered or sold is pursuant to conversion of the capital stock of a savings bank shall be less than 20 in number, each of whom shall be furnished with an offering circular complying with this Subpart before the consummation of any such sale.

- j) Upon the Commissioner's approval of the plan of conversion, the mutual savings bank charter shall be surrendered to the Commissioner and a stock charter issued by the Commissioner.

- k) The corporate existence of a mutual savings bank converting to stock savings bank shall not terminate and shall be considered to be a continuation of the savings bank so converted.

- l) The Commissioner's approval of a conversion under this Section shall be conditioned upon the following:

- 1) Completion of the sale of conversion stock within three months after the Commissioner approves the application, or within such additional period as the Commissioner may for good cause grant.
- 2) Compliance with all filing requirements of this Subpart, subject to subsection (b) above; and

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

- 3) satisfaction of any other requirements or conditions the Commissioner may impose.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2200 Application -- Application Requirements

An application to convert from a mutual savings bank to a capital stock savings bank shall contain information as required by this Subpart. In addition to the information expressly required to be included in any application under this Subpart, there shall be added such further material information, if any, as may be necessary to make the required statements, in the light of the circumstances under which they are made, not misleading.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2210 Application -- Filing the Application and Fees

- a) An application shall be prepared by a mutual savings bank that proposes to convert to a stock owned savings bank. The application must demonstrate that the applicant complies with the Act and Rules promulgated thereunder. Not including copies filed pursuant to Section 1075.2020, three completed manually signed copies with all exhibits, with an application fee of ten thousand dollars shall be filed with the Commissioner, Office of the Commissioner of Savings and Residential Finance, 205 West Randolph Street, Suite 1300, Chicago, Illinois 60606. The date a document is actually received by the Commissioner shall be the date of filing thereof.

- b) Any application for approval that is improperly executed or that does not contain copies of a plan of conversion, amendments to the charter of the applicant in the form of new articles of incorporation, proxy materials, and preliminary offering circulars for the subscription offering and for the public offering or direct community marketing, shall not be accepted for filing and shall be returned to the applicant. Any application for approval containing a materially incomplete plan of conversion, offering circular, or proxy statement shall be returned by the Commissioner to the applicant. Conversions effected pursuant to Section 1075.2170 need not file documents or information to the extent that Section 1075.2170(d) allows.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

c) Signature page:

- 1) Every application and every amendment thereto filed shall include a signature page which shall be manually signed by:

- A) A duly authorized representative of the applicant on its behalf;
- B) Its principal executive officer;
- C) Its principal financial officer;
- D) Its principal accounting officer; and
- E) At least two-thirds of its directors.

- 2) Those signing the application shall attest on the signature page as follows:

- A) In submitting an application, the applicant understands and agrees that if further examinations, investigations, or appraisals are required by the Commissioner, they will be conducted by, or as approved by, the Commissioner at the expense of the applicant and applicant will pay the costs thereof as computed by the Commissioner.

- B) The application has been approved by at least two-thirds of the board of directors of the applicant, in accordance with the Act and the rules promulgated thereunder by the filing of this application, the applicant by its duly authorized representative, the undersigned officers and each member of the applicant's board of directors severally represent:

- i) that each such person has read this application; and
- ii) that in the opinion of each such person, he or she has made such examination and investigation as is necessary to enable him or her to express an informed opinion that this application complies to the best of his or her knowledge and belief with the application requirements of the Act

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

and this Part.

- 3) If any name is signed to an application or any amendment thereto pursuant to a power of attorney, a manually signed copy of the power of attorney shall be filed with each copy of the application.

d) Except as provided in subsection (e) below, the filing of any application or amendment thereto under this chapter shall constitute a representation of the applicant by its duly authorized representative, the applicant's principal executive officer, the applicant's principal financial officer, and the applicant's principal accounting officer, and each member of the applicant's board of directors (whether the director has signed the application or any amendment thereto) severally that:

- 1) he or she has read the application or amendment,
- 2) in the opinion of each such person he or she has made such examination and investigation as is necessary to enable him or her to express an informed opinion that such application or amendment complies to the best of his or her knowledge and belief with the applicable requirements of this Subpart, and
- 3) each such person holds this informed opinion.

e) The representations specified in subsection (d) above shall not be considered to have been made by any director of the applicant who did not sign the application or any amendment thereto, if, and only to the extent that, the director files the Commissioner within ten business days after the filing of the application or amendment a statement describing those portions of the filing as to which he or she does not so represent.

f) If applicable, the applicant shall furnish information in accordance with Subpart N of this Part.

g) Consent of experts:

- 1) If any accountant, attorney, investment banker, appraiser, financial advisor, or other person whose profession gives authority to a statement made in any application under this Subpart is named as

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

having prepared, reviewed, passed upon, or certified any part of the application, or any report or valuation for use in connection with the application, the written consent of the person shall be filed with the application. If any portion of an expert's report is quoted or summarized as such in any filing under this Subpart, the written consent of the expert shall expressly state that the expert consents to this quotation or summarization.

2) All written consents filed pursuant to this Section shall be dated and signed manually. A list of the consents shall be filed with the application. Where the consent of the expert is contained in the expert's report, the list shall state that the report contains the consent.

h) After the Office has reviewed the filed materials, the applicant may be required to furnish additional information as an amendment to the application. Further, the applicant may amend the application at its discretion. All amendments shall be clearly identified as such, numbered consecutively, and shall comply with all pertinent requirements of the application, including signature.

i) Whenever the Commissioner prohibits by order or otherwise the use of any filing under this Part, the form and contents of any filing used thereafter shall conform to the requirements of such order and the applicable regulations in effect at the time such prohibition is no longer effective.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2220 Application -- Preparing the Application

a) Requirements as to paper and printing:

- 1) Applications shall be filed on good quality, unglazed, white paper approximately 8 1/2 by 13 or 8 1/2 by 11 inches in size, insofar as practicable. However, tables, charts, maps and financial statements may be on larger paper if folded to such sizes, and the plan of conversion, proxy statement and offering circular may be on a smaller paper if the applicant so desires.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

2) Applications, and, insofar as practicable, all papers and documents filed as a part thereof, shall be printed, lithographed, mimeographed or typewritten. However, applications or any portion thereof may be prepared by any similar process which, in the opinion of the Commissioner, produces copies suitable for a permanent record. Irrespective of the process used, all copies of any such material shall be clear, easily readable and suitable for repeated photocopying. Debits in credit categories and credits in debit categories shall be designated so as to be clearly distinguishable as such on photocopies.

b) Every application shall include a cross reference sheet showing the location in the proxy statement and offering circular of the response to the appropriate section of this Part. If any such item is inapplicable, or the answer thereto is in the negative and is omitted, a statement to that effect shall be made in the cross reference sheet.

c) The body of all printed plans of conversions, proxy statements, and offering circulars, including all notes to financial statements and other tabular data included therein, shall be in Roman type at least as large and as legible as 10-point modern type. However, to the extent necessary for convenient presentation, financial statements and other tabular data, including tabular data in notes, may be in Roman type at least as large and as legible as 8-point modern type. All such type shall be leaded at least 2 points.

d) Interpretation of requirements:

1) Unless the context indicates otherwise, the information required is only as to the applicant.

2) Whenever words relate to the future, they have reference solely to present intention.

3) Any words indicating the holder of a position or office include persons, by whatever titles designated, whose duties are those ordinarily performed by holders of such positions or offices.

e) Incorporation of certain information by reference.

1) Where an item in an application calls for information not required to be included in the proxy statement or offering circular, matter contained in any other part of the application, including exhibits, may be incorporated by reference in answer, or partial answer, to such items.

2) No information may be incorporated by reference in a proxy statement or offering circular, unless the document containing such information is attached thereto or is summarized or outlined as provided in subsection (f) below. However, an offering circular may incorporate by reference the information contained in a proxy statement previously delivered, without need of summary or outline.

3) Material incorporated by reference shall be clearly identified in the reference. An express statement that the specified matter is incorporated by reference shall be made at the particular place in the application where the information is required. Matter shall not be incorporated by reference in any case where such incorporation would make the statement incomplete, unclear or confusing.

f) Where a summary or outline of the provisions of any document is required only a brief statement shall be made in succinct and condensed form, as to the most important provisions of the document. In addition to such statement the summary or outline may incorporate by reference particular items, sections or paragraphs of any exhibit and may be included in its entirety by such reference.

g) Presentation of information:

1) The information required in a proxy statement or offering circular need not follow the order of their presentation or other requirements in the appropriate sections. Such information shall not, however, be set forth in such fashion as to obscure any of the required information or any information necessary to keep the required information from being incomplete or misleading. Where a section requires information to be given in tabular form it shall be given in substantially the tabular form specified in the section.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

2) All information contained in a plan of conversion, proxy statement or offering circular shall be set forth under appropriate captions or headings reasonably indicative of the principal subject matter set forth thereunder. Except as to financial statements and other tabular data, all information set forth in any form under this Subpart shall be divided into reasonably short paragraphs or sections.

3) Every proxy statement and offering circular shall include in the forefront thereof a reasonably detailed table of contents showing the subject matter of its various sections or subdivisions and the page number on which each such section or subdivision begins.

4) All information required to be included in a proxy statement or offering circular shall be clearly understandable without the necessity of referring to the particular section of this Subpart. Except as to financial statements and information required in tabular form, the information set forth in a proxy statement or offering circular may be expressed in condensed or summarized form.

5) Financial statements are to be set forth in comparative form, and shall include the notes thereto and the accountants' certificate or certificates.

h) All amendments to an application under this Subpart shall be filed under cover of an appropriate facing sheet, shall be numbered consecutively in the order in which filed, and shall conform to all pertinent requirements of this Subpart.

i) Information required needs to be given only insofar as it is known or reasonably available to the applicant. The applicant may not omit information that is in fact known or reasonably available to the applicant. Information shall be available to the applicant if it is not reasonably available to the applicant, either because the obtaining thereof would involve unreasonable effort or expense or because it rests peculiarly within the knowledge of another person not affiliated with the applicant. The information may be omitted, subject to the following conditions:

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

1) The applicant shall give such information on the subject as it has or can acquire without unreasonable effort or expense, together with the sources thereof; and

2) The applicant shall include a statement either showing that unreasonable effort or expense would be involved in indicating to the public or in making affidavits with the information, or that the applicant has the information on file and stating the result of a request made to the person for the information.

3) The information provided should be presented in such a manner that the reader does not have to refer to the applicable section of this Subpart to understand what is being conveyed. It is not necessary that the applicant restate the text of any section, but the applicant should indicate to which section the response applies. The nonapplicability of any item should be affirmatively noted. The following shall be also applicable:

1) Include an index of sections and subsections.

2) Exhibits and inserts are permissible if referenced under the appropriate section, with identification tabs attached.

3) If required information is not reasonably or economically available to the applicant, explanation for its omission should be included.

4) Material available for public inspection may be incorporated by reference in response to any section, but specified, including item, page, and paragraph number, if applicable.

k) Should the applicant desire to submit any information it considers to be of a confidential nature regarding the response to any part of an application, such information shall be separately bound and labeled in capital letters, "Confidential," and a statement should be attached therewith briefly setting forth the grounds which such information should be treated as confidential. Only confidential information should be made of that "confidential" portion in the portion of the application which the applicant considers not to be confidential. If any material has been granted confidential treatment

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

under State or Federal law, or by a government agency, or the New York Stock Exchange, such circumstances should be described. All materials filed as part of this application are available for inspection, except for portions which are bound and labeled in capital letters, "Confidential" and which the Commissioner determines to be held from public availability because of their confidential nature. The Commissioner will not permit public inspection or copying of any material that is or would be confidential under State law. The Commissioner will advise the applicant of any decision to make available to the public information labeled in capital letters, "Confidential". It should be understood that it may be necessary for the Commissioner to release materials heretofore given confidential treatment. It should be further understood that even though parts of the application are considered "confidential" as far as public inspection thereof is concerned, the Commissioner may comment on the confidential submissions in any public statement in connection with the Commissioner's decision on the application without prior notice to the applicant.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2230 Application -- Application Contents

The application shall include:

- a) The complete formal written plan adopted by the board of directors for conversion of the applicant to the stock form of organization. The terms of the plan submitted pursuant to this subsection will be a basis for the Commissioner's approval, and the plan as approved will be distributed as an attachment to the proxy statement and the offering circular.

- b) Preliminary copies of the proxy statement and offering circular. The proxy statement and offering circular should be prepared in accordance with Sections 1075.2300, et seq., and 1025.2500 et seq. respectively, which are attached to the application.

- c) Preliminary copies of the form of proxy to be distributed to members by management of the applicant.

- d) The expected chronological order of the events connected with the plan of conversion beginning with the filing of this application through completion of the sale of all

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

the capital stock under the Conversion Plan (indicate the expected timing of any requisite approvals by other regulatory authorities. Indicate the proposed timing of all aspects of the subscription offering if there will be an underwritten public or direct community marketing of the applicant's securities as part of the Conversion Plan. Indicate the proposed timing of all aspects of such offering.)

- e) If the applicant's Conversion Plan contains an eligibility record date substantially earlier than 90 days before the date of adoption of the Conversion Plan by the board of directors, state the reason for the selection of such earlier date. Indicate the circumstances that will require the use of a supplemental eligibility record date.

- f) In substantially the tabular form indicated below, the estimated expense of the conversion to the applicant:

Legal.....	.....
Postage and Mailing.....	.....
Printing.....	.....
Escrow Agent Fees.....	.....
Underwriting Fees.....	.....
Appraisal Fees.....	.....
Transfer Agent Fees.....	.....
Admitted Accounting.....	.....
Proxy Solicitation Fees.....	.....
Advertising.....	.....
Other Expenses.....	.....
Total.....	.....

- 1) The applicant may exclude costs represented by salaries and wages of regular employees and officers if a statement to that effect is made. The cost of solicitation by specially engaged employees or paid solicitors under Section 1075.2330(b) shall be stated under "Proxy Solicitation Fees."

- 2) If the applicant has any category of expenses exceeding \$10,000 which is not specified in this Section, such expense shall be itemized rather than including it under the category "Other Expenses".

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

3) If the solicitation is conducted other than by management of the applicant, the information required in this section shall be provided with respect to the cost of such solicitation.

g) A statement of the general effect of any charter provision, bylaw, contract, arrangement, statute, or regulation to be in effect during or after the conversion under which any underwriter, appraiser, lawyer, accountant or expert, or director or officer of the applicant will be insured or indemnified in any manner against any liability which he or she may incur in his or her capacity as such.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2240 Application -- Application Exhibits

The following exhibits shall be attached to the application:

- a) The following documents, contracts and agreements:
 - 1) Proposed certificates for capital stock and any other securities to be issued;
 - 2) Proposed order forms with respect to the subscription rights;
 - 3) Any proposed stock option plan and form of stock option agreement;
 - 4) Any proposed management employment contracts;
 - 5) Any contract described in complying with Section 1075.2360;
 - 6) Contracts or agreements with paid solicitors described in complying with Section 1075.2330(b);
 - 7) Any material loan agreements relating to borrowing by the applicant other than from a Federal Home Loan Bank and other than subordinated debt securities approved by the Commissioner;
 - 8) Any appraisal agreement or proposed agreement, underwriting contracts or agreements among underwriters;

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

- 9) Any proposed contracts or agreements among members of a group regarding the purchase of unsubscribed shares;
 - 10) Any required undertaking or affidavits by officers or directors purchasing shares in the conversion that they are acting independently;
 - 11) Any documents referred to in complying with Section 1075.2230(d);
 - 12) Any trustee agreements or indentures;
 - 13) Any agreements for the making of markets or the listing on exchanges of the stock of the converted savings bank. Documents, contracts and agreements which are furnished in proposed form under this exhibit shall be furnished in final form immediately after the meeting of the board to consider the plan of conversion for the securities which by their nature will be practically expected until a later time required by subsections (a)(8) and (9) above in which case they shall be furnished in substantially final form; and
 - 14) Any documents referred to in complying with Section 1075.2230(g);
- b) An opinion of counsel for the applicant regarding each of the following matters:
- 1) The legal sufficiency of the applicant's proposed certificates and order forms for capital stock and any other securities;
 - 2) Whether state and, if applicable, federal law requirements will be fulfilled by the conversion plan;
 - 3) The legal sufficiency of the applicant's proposed charter and bylaws;
 - 4) The continuation of insurance of the applicant's accounts by the Federal Deposit Insurance Corporation after conversion; and
 - 5) The type and extent of each class of voting rights

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE
NOTICE OF ADOPTED AMENDMENTS

In the applicant after conversion:

c) An opinion of:

- 1) the applicant's tax advisor or an Internal Revenue ruling as to the Federal income tax consequences of the Conversion Plan to the applicant and to the various account holders who receive nontransferable subscription rights to purchase capital stock; and
- 2) the applicant's tax advisor or, if applicable, a ruling from the appropriate State taxing authority as to any tax consequences of the Conversion Plan under the laws of this State. Such opinion should relate to the applicant and to eligible account holders;

d) Any materials required to be filed by Section 1075.2105 regarding the valuation of the applicant's capital stock. An applicant is not required to file such materials if the offering of capital stock will not begin before the meeting of members to vote on the Conversion Plan;

e) The notices to the applicant's members required by Sections 1075.2005 through 1075.2020;

f) Additional exhibits:

- 1) If information required pursuant to a relevant Section of this Part is not given for the reasons specified in Section 1075.2220(i), the statement required for each such omission;
- 2) All consents required to be filed by Sections 1075.2210(g) and 1075.2520;
- 3) If applicable, the statement required by Section 1075.2350 regarding events which occurred within the last ten years to directors of the applicant;
- 4) Any powers of attorney employed pursuant to Section 1075.2210(c); and
- 5) Furnish the cross reference sheet referred to in Section 1075.2220(b).

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993)

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

Section 1075.2300

Proxy Statement -- Information Required in Conversion Proxy Statement

- a) The conversion proxy statement shall conform to the requirements of this Section 1075.2300 through 1075.2460.
- b) Except as otherwise specifically provided, where any Section calls for information for a specified period in regard to directors, officers or other persons holding specified positions or relationships, the information shall be given in regard to any person who held any of the specified positions or relationships at any time during the period. However, information need not be included for any portion of the period during which such person did not hold any such position or relationship provided a statement to that effect is made.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993)

Section 1075.2340 Proxy Statement -- Notice of Meeting

- a) The cover page of the proxy statement shall give notice of the meeting of the members called by the Board of directors to act upon the Plan of Conversion. The cover page shall include the date, time, and place of the meeting, a brief description of each matter to be acted upon at the meeting, the date of record for the meeting, and the date of the meeting, the date of the statement, and the full address, ZIP code and telephone number of the applicant.

- b) If the applicant intends to use previously obtained proxies at the meeting in accordance with Section 1075.2035(d)(4), the notice of the meeting shall include the following bold-face legend:

The institution may use your previously-executed proxies to vote for the plan of conversion in the event you do not execute another proxy for this meeting, attend and vote in person, or otherwise revoke your previously-executed proxies.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993)

Section 1075.2320 Proxy Statement -- Revocability of Proxy

State that the person giving the proxy has the power to revoke it before the proxy is exercised at the meeting. If the right or

NOTICE OF ADOPTED AMENDMENTS

revocation is subject to compliance with any formal procedure. Briefly describe such procedure. Briefly describe any charter, bylaw or applicable federal or state law requirements otherwise restricting voting by proxy. State that the proxy is solicited for that meeting, and any adjournment thereof, and will not be used for any other meeting.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993)

Section 1075.2330 Proxy Statement -- Persons Making the Solicitations

a) State whether the solicitation is made by the management of the applicant. Give the name of any director or officer of the applicant who has informed the management in writing that he or she intends to make the solicitation. State whether the management and the solicitation intended to be taken are in agreement and indicate the action which he or she intends to oppose.

b) If the solicitation is to be made otherwise than by the use of the mails, describe the methods to be employed. If the solicitation is to be made by specially engaged employees or paid solicitors, state the material features of any contract or arrangement for such solicitation and identify the parties.

c) If the solicitation is made otherwise than by the management of the applicant, so state and give the names of the persons by whom and on whose behalf it is made. Any such solicitation normally need not respond to Sections 1075.2330 through 1075.2460, but must include such information as to make such solicitations comply with Section 1075.2035(d)(3).

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993)

Section 1075.2340 Proxy Statement -- Voting Rights and Vote Required for Approval

a) Describe briefly the voting rights of each class of members, state the approximate total number of votes entitled to be cast at the meeting, and the approximate number of votes to which each class is entitled. Discuss the voting rights of beneficiaries of accounts held in a fiduciary capacity such as IRA accounts.

b) As part of the description, give the date of record for members entitled to vote at the meeting.

NOTICE OF ADOPTED AMENDMENTS

c) As to each matter which will be submitted to a vote of members, state the vote required for its approval.

d) If the applicant intends to use previously executed proxies to vote on the plan of conversion in accordance with Section 1075.2035(d)(4), discuss how such proxies were obtained, the circumstances in which such proxies may be used, and how such proxies will be voted.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993)

Section 1075.2350 Proxy Statement -- Directors and Executive Officers

a) Furnish the information regarding directors and executive officers and their relationships and related transactions required to be disclosed in a registration or proxy statement filed under the Securities Exchange Act of 1934. In particular see Items 401 and 404 of the "General Rules Regarding Disclosures: Regulations S-K - Standard Instructions for Filing Forms under the Securities Act of 1933 and the Securities Exchange Act of 1934" (17 CFR 229.401 and 404, 1992, no subsequent dates or editions), and Item 6 of Regulation 14A of the "Rules and Regulations Under Securities Exchange Act of 1934" (17 CFR 240.14A-101, 1992, no subsequent dates or editions). Unless the context otherwise requires, the words "registrant" and "issuer" in those regulations shall refer to the applicant and the word "Commission" shall refer to the Commissioner.

b) State whether control of the applicant has been exercised through the use of proxies and the nature of such control.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993)

Section 1075.2360 Proxy Statement -- Management Remuneration

Furnish the information regarding management remuneration required to be disclosed in a registration or proxy statement filed under the Securities Exchange Act of 1934. In particular, see Item 402 of the "General Rules Regarding Disclosures: Regulations S-K - Standard Instructions for Filing Forms under Securities Act of 1933, as of the effective date of this Section 1075.2360, or as thereafter amended, and the Securities Exchange Act of 1934" (17 CFR 229.402 and 404, 1992, no subsequent dates or editions), and

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

Item 7 of Regulation 14A of the "Rules and Regulations Under Securities Exchange Act of 1934" (17 CFR 240.14a-10) as of the effective date of this Section 1075.2370 or as thereafter amended, unless the context otherwise requires, the words "registrar" and "Commission" in those regulations shall refer to the applicant and to the Commissioner, respectively.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2370 Proxy Statement -- Business of the Applicant

a) Narrative description of business.

1) Discuss briefly the organizational history of the applicant, including the year of organization, the identity of the chartering authority, and any charter conversions.

2) Describe the business conducted and intended to be conducted by the applicant and its subsidiaries. This should include a description of the general development of the business of the applicant and any predecessor(s) during the past five years, or such shorter period as the applicant may have been engaged in business. Information shall be disclosed for earlier periods if material to an understanding of the general development of the business. Any material changes in the mode of conducting the business should be discussed.

3) Consideration should be given to inclusion of a description of the applicant's historical practices, including the average remaining term to maturity of its portfolio of mortgage loans, and present intention regarding the making of loans, whether real estate or other, the nature of security received, the terms of loans, whether carrying fixed or variable interest rates, and the retention of loans or their resale in secondary mortgage markets. Historical description might require a general identification of the magnitude of various activities.

4) Also explain any significant impact to the institution as a result of any material acquisitions.

b) Selected financial data -- Furnish in comparative

columnar form a summary of selected financial data for the applicant for:

1) each of the last five fiscal years of the applicant for the life of the applicant and its predecessors, if less; and

2) any additional fiscal years necessary to keep the summary from being misleading.

3) In furnishing the information required by this subsection, the following shall apply:

A) The purpose of the summary of selected financial data shall be to supply in convenient and readable format selected data which highlight significant trends in the applicant's financial condition and results of operations.

B) Subject to appropriate variation to conform to the nature of the applicant's business, the following items, as a minimum, shall be included in the summary: Total interest income; total interest expense; income (loss) from continuing operations; net income; total loans; total investments; total assets; total savings; total borrowings; total capital; and total number of customer service facilities indicating the number which provide full service. Applicants may include additional items which they believe would enhance understanding and highlight trends in their financial condition and results of operation. Briefly describe, or cross reference to a discussion of, factors such as accounting changes, business combinations, or dispositions of business operations that materially affect the comparability of the information reflected in selected financial data. Discussion of, or reference to, any material uncertainties should also be included where those matters might cause the data reflected not to be indicative of the applicant's future financial condition or results of operations.

C) Those applicants which elect to provide 5 year summary information in accordance with Section C28 of the Financial Accounting Standards

NOTICE OF ADOPTED AMENDMENTS

Board's Statement of Financial Accounting Standards (FASB Statement 89). "Financial Reporting and Changing Prices." may combine such information with the selected financial data appearing pursuant to this Section.

D) All references to the applicant in the summary and in these instructions shall mean the applicant and its consolidated subsidiaries.

E) If interim-period financial statements are included, or are required to be included by Section 1075.2450, applicants should update the selected financial data for the interim period to reflect any material change in the trends indicated; where such updating information is necessary, applicants should provide the information on a comparative basis unless not necessary to an understanding of the updating information.

C) Management's discussion and analysis of financial condition and results of operation.

1) Discuss applicant's financial condition and results of operations. The discussion shall provide information as specified in subsection (c)(1)(A), (B), and (C) below with respect to liquidity, capital resources, and results of operations and also should provide all other information which the applicant believes necessary to an understanding of its financial condition, changes in financial condition, and results of operations. Significant business combinations and capital resources discussed in liquidity and capital resources may be combined whenever the two topics are interrelated. Where in the applicant's judgment a discussion of subdivisions of the applicant's business would be appropriate to an understanding of the business, the discussion should focus on each relevant, reportable segment or other subdivision of the business and on the applicant as a whole.

A) Liquidity -- Identify any known trends or any known demands, commitments, events, or uncertainties which will result in or which are reasonably likely to result in the applicant's liquidity increasing or decreasing

NOTICE OF ADOPTED AMENDMENTS

in any material way. If a material deficiency is identified, indicate the course of action which the applicant has taken or proposes to take to remedy the deficiency. Identify and separately describe internal and external sources of liquidity, and briefly discuss any material unused sources of liquid assets. Comment on maturity imbalances between assets and liabilities and planned activities in the secondary mortgage market.

B) Committed resources.

i) Describe the applicant's material commitments for loan fundings or other expenditures as of the end of the latest fiscal period and indicate the general purpose of the commitments and the anticipated source of funds needed to fulfill the commitments.

ii) Describe any known material trends, favorable or unfavorable, in the applicant's committed resources. Indicate any expected material changes in the mix and the relative cost of the resources. This discussion should consider changes between savings, equity, debt, and any off-balance-sheet financing arrangements.

C) Results of operations.

i) Describe any unusual or infrequent events or transactions or any significant economic events that materially affected the operations of reported income from continuing operations and, in each case, indicate the extent to which income was affected. In addition, describe any other significant components of revenues or expenses which, in the applicant's judgment, should be described in order to understand the applicant's results of operations.

ii) Describe any known trends and uncertainties which have had, or which the applicant reasonably expects will

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

have, a materially favorable or unfavorable impact on net sales or revenues or income from continuing operations, if the applicant knows of events which will cause a material change in the relationship between costs and revenues (such as known future increases in costs of money or interest rates), the change in the relationship should be disclosed.

iii) To the extent that the financial statements disclose material increases in interest expense, provide a narrative discussion of the extent to which the increases are attributable to increases in rates or to increases in volume.

iv) For the three most recent fiscal years of the applicant, discuss the impact of inflation and changing prices on the applicant's revenues and on income from continuing operations.

v) For the most recent financial statement presented, discuss any unusual risk characteristics in the assets of the applicant. This would include real estate development, significant amounts of commercial real estate as loan collateral, and any other significant risk factors inherent in the applicant's lending or investment portfolios, including significant increases in amounts of non-accrual, past due, restructured, and potential problem loans (U.S. Securities and Exchange Commission's Securities Act Industry Guide 3, Section III C. 1992, no subsequent dates or editions).

vi) In completing subsection (c)(1) above, the following shall apply:

i) The applicant's discussion and analysis shall be of the financial statements and of other statistical data which the applicant believes will enhance a reader's understanding of its financial condition.

changes in financial condition, and results of operations. Generally, the discussion should cover the 3 year period covered by the financial statements and should use year-to-year comparisons or other formats which in the applicant's judgment enhance a reader's understanding. However, where trend information is relevant, reference to the five-year selected financial data appearing in subsection (b) above may be necessary.

ii) The purpose of the discussion and analysis should be to provide to investors and other users information relevant to an assessment of the financial condition and results of operations of the applicant as determined by evaluating the amounts and certainty of cash flows from operations and outside sources. The information provided should be presented in a way that includes that which is available to the applicant without undue effort or expense and which does not clearly appear in the applicant's financial statements.

iii) The discussion and analysis should specifically focus on material events and uncertainties known to management which would cause reported financial information not to be necessarily indicative of future operating results or of future financial condition. This would include description and amounts of matters which would have an impact on future operations and have not had an impact in the past, and matters which have had an impact on reported operations and are not expected to have an impact upon future operations.

iv) Where the consolidated financial statements reveal material changes from year to year in one or more line items, the causes for the changes should be described to the extent necessary to an understanding of the applicant's business as a whole; provided, however, if the causes for a change in one line item also

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

relate to other line items, no repetition is required and a line-by-line analysis of the financial statements as a whole is not required or generally appropriate. Applicants need not restate the amounts of changes from one year to the next, but must state the reasons for the changes in the financial statements. The discussion should not merely repeat numerical data contained in the consolidated financial statements.

- vi) The term "liquidity" as used in subsection (c)(1)(A) above refers to the ability of an enterprise to generate adequate amounts of cash to meet the enterprise's needs for cash. Except where it is otherwise clear from the discussion, the applicant should indicate those balance sheet conditions or income or cash flow items which the applicant believes may be indicators of the liquidity condition. Liquidity generally should be discussed on both a long-term and short-term basis. The issue of liquidity should be discussed in the context of the applicant's own business or businesses.

- vii) Applicants are encouraged, but not required, to supply forward-looking information. This is to be distinguished from presently known data which will have an impact upon future operating results, such as known future increases in rates or other costs. This latter data is required to be disclosed.

- viii) Applicants which elect to provide narrative explanations of supplementary information disclosed in accordance with SPAS 89(b)(3)(C) above, may combine the explanations with their discussion and analysis required pursuant to this provision or they may supply the information separately. If the information is combined, it shall be located in reasonable proximity to the discussion and analysis. If the

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

information is not combined, the discussion of the impact of inflation otherwise required by this subsection may be omitted, if there is an appropriate cross-reference to the explanations provided pursuant to SPAS 89, as referred to in Section 1075.2370(b)(3)(C).

- viii) Applicants which elect not to provide explanations of supplementary information disclosed in accordance with SPAS 89 may discuss the effects of inflation and changes in prices in whatever manner appears appropriate under the circumstances. Although voluntary compliance with SPAS 89 is encouraged, all that is required is a brief textual presentation of management's views. No specific numerical financial data need be presented.

- ix) All references to the applicant in the discussion and in these instructions shall mean the applicant and its consolidated subsidiaries.

- 2) If interim-period financial statements are included or are required to be included by Section 1075.2440, a management's discussion and analysis of the financial condition and results of operations shall be provided to enable the reader to assess material changes in financial condition and results of operations between the period specified in subsection (c)(2)(A) and (B) below. The discussion and analysis shall include a discussion of material changes in those items specifically listed in subsection (c)(1) above, except that the impact of inflation and changing prices on operations for interim periods need not be addressed.

- A) Material changes in financial condition. Discloses any material changes in financial condition from that of the preceding fiscal year to the date of the most recent interim balance sheet provided. If the interim financial statements include an interim balance sheet as of the corresponding interim date of the preceding fiscal year, any material change

NOTICE OF ADOPTED AMENDMENTS

in financial condition from that date to the date of the most recent interim balance sheet provided shall also be discussed. If discussions of changes from both the end and the corresponding interim date of the preceding fiscal year are required, the discussions may be combined at the discretion of the applicant.

- B) Material changes in results of operations. Discuss any material changes in the applicant's results of operations with respect to the most recent fiscal year-to-date period for which an income statement is provided and the corresponding year-to-date period of the preceding fiscal year. If the applicant is required to or has elected to provide an income statement for the most recent fiscal year quarter, the discussion also shall cover material changes with respect to that fiscal quarter and the preceding fiscal quarter in the preceding fiscal year. In addition, if the applicant has elected to provide an income statement for the 12-month period ended as of the date of the most recent interim balance sheet provided the discussions shall also cover material changes with respect to that 12-month period and the 12-month period ended as of the corresponding interim balance sheet date of the preceding fiscal year.

- C) In completing subsection (c)(2) above, the following instructions shall apply:

- i) If interim financial statements are presented together with financial statements for full fiscal years, the discussion of the interim financial information shall be prepared pursuant to subsection (c)(2) above and the discussion of the full fiscal year information shall be prepared pursuant to subsection (c)(1) above. Such discussions may be combined.
- ii) The discussion and analysis required by subsection (c)(2) above is required to focus only on material changes. Where the interim financial statements reveal a material change from period to period in

NOTICE OF ADOPTED AMENDMENTS

one or more significant line items, the causes for the changes should be described if they have not already been disclosed; however, if the causes for a change in one line item also relate to other line items, no repetition is required. Applicants need not recite the amounts of changes from period to period which are readily computable from the financial statements. This discussion should not merely repeat numerical data contained in the financial statements. The information provided should include that which is available to the applicant without undue effort or expense and which does not clearly appear in the applicant's interim financial statements.

- iii) The applicant's discussion of material changes in results of operations should identify significant elements of the applicant's income or loss from continuing operations which do not arise from, or are not necessarily representative of, the applicant's ongoing business.

- iv) Applicants are encouraged, but are not required, to discuss forward-looking information.

- d) Lending activities.

- 1) Briefly describe the applicable Federal and State restrictions on the lending activities of the applicant, including applicable laws affecting mortgage loan interest rates. Also briefly describe the applicant's general policy concerning loan-to-value ratios; customary methods of obtaining loan originations, such as the use of loan consultants; approval of properties as security for loans; the use of a loan committee, if any; and policies as to requiring title insurance, fire insurance, and casualty insurance on security properties. Indicate the applicant's general future intentions with respect to activities in secondary mortgage markets, including transactions with the Federal Home Loan Mortgage Corporation or mortgage bankers. If significant, indicate loan service fee income as a

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

percentage of net interest income for the years required by Section 1075.2440(b).

- 2) As to the lending area of the applicant, describe briefly:

- A) the lending area restrictions, if any, applicable to the applicant.
- B) the areas in which the applicant normally lends, and
- C) any material loan concentration areas of the applicant. The descriptions may include maps illustrating the core of these areas, furnish an estimate of the housing vacancy rates in areas where the applicant's loan concentrations are located, if practicable.

- 3) Describe briefly the general long-term nature of investment in mortgage loans and the consequent effect upon the earnings spread of savings institutions. State the normal maturity of loans made by the applicant on the security of single-family dwellings and furnish an estimate as to the average length of time the loans are outstanding.

- 4) For each of the periods required by Section 1075.2440(b), set forth in tabular form, excluding fees which are not considered adjustments of yield, the following:

- A) Average yield during the period, computed on no greater than a monthly basis, on:
 - i) loan portfolio;
 - ii) investment portfolio;
 - iii) other interest-earning assets; and
 - iv) all interest-earning assets.
- B) Average rate paid during the period, computed on no greater than a monthly basis, on:
 - i) deposits.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

- ii) borrowings and Federal Home Loan Bank advances.

- iii) other interest-bearing liabilities, and
- iv) all interest-bearing liabilities (subsection (d)(4)(A)(i), (ii), and (iii) above).

- C) Weighted-average yield at end of the latest required period for the items in subsection (d)(4)(A) and (B) above.

- D) The net yield on average interest-earning assets (net interest earnings divided by average interest-earning assets with net interest earnings equaling the difference between the dollar amount of interest earned and paid). Average interest-earning assets should be determined on an interval no more frequent than monthly.

- E) For each of the periods required by Section 1075.2440(b), set forth in tabular form:

- i) the dollar amount of change in interest income and
- ii) the dollar amount of change in interest expense. The changes should be segregated for each major category of interest-earning asset and interest-bearing liability (as stated in subsection (d)(4)(A) and (B) above) into amounts attributable to changes in volume change (change in volume multiplied by old rate), and changes in rates (change in rate multiplied by old volume), and changes in rate-volume (change in rate multiplied by the change in volume). The rate/volume variances should be allocated on a consistent basis between rate and volume variance and the basis of allocation disclosed in a note to the table.

- 5) For each of the periods required by Section 1075.2440(b), present the following:

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

- A) Return on assets (net income divided by average total assets).
- B) Return on equity (net income divided by average equity).
- C) Equity-to-assets ratio (average equity divided by average total assets).
- D) Applicants should supply any additional ratios necessary to explain their operations.

6) Loans:

- A) As of the end of the latest fiscal year reported on, present separately the amounts of loans in the categories of real estate mortgages, real estate construction, installment, and commercial, financial and agricultural which are due:

- i) In each of the three years following the balance sheet.

- ii) after three through five years.

- iii) after five through ten years.

- iv) after ten through fifteen years, and

- v) after fifteen years. In addition, present separately the total amount of all such loans due after one year which have predetermined interest rates and floating or adjustable interest rates.

- B) In completing subsection (d)(6)(A) above, the following shall apply:

- i) Scheduled principal repayments should be reported in that maturity category in which the payment is due.

- ii) Demand loans, loans having no stated schedule of repayments and no stated maturity, and overdrafts should be reported as due in one year or less.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

- iii) Determinations of maturities should be based upon contract terms. However, such terms may vary due to the applicant's "rollover policy." In which case the maturity should be revised as appropriate and the rollover policy should be briefly discussed.

7) Describe briefly the risk elements within the loan and investment portfolios including the applicant's customary procedures regarding delinquent loans. As of the end of each of the periods covered by the statements of operation required by Section 1075.2440(b)(1) and as of the date of the latest statement of financial condition required by Section 1075.2440(a), set forth in tabular form past amounts and categories of real estate loans, secured and unsecured, and potential problem loans (see Section 1075.2440(c)). Also indicate the percentage of total loans to total assets. Where the amount of real estate that has been in substance foreclosed, acquired by foreclosure, or by deed in lieu thereof is significant, include a brief description of the major properties and a statement as to the applicant's probable losses, if any, upon disposition of such properties.

e) Savings activities.

1) State whether the maximum rate of interest which the applicant may pay is established by regulatory authorities. State that, in the event of liquidations of the applicant after conversion, savings account holders will be entitled to full payment of their accounts before payment to shareholders. Also indicate the percentage of total savings accounts which are from out-of-state sources, if such total is significant.

2) Set forth in tabular form the amounts of time deposit accounts by categories of interest rates as of the dates of each balance sheet filed. Each interest-rate category should not be more than 200 basis points. As of the date of the latest balance sheet, set forth in tabular form for each interest-rate category, the amounts of savings maturing during each of the three years following the balance

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

sheet date and the total maturing thereafter.

- 3) Disclose the weighted-average rate and general terms as well as the formal provisions for the extension of the maturity of each category of short-term borrowings, along with the maximum amount of borrowings in each category outstanding at any month-end during each period for which an end-of-period balance sheet is required. In addition disclose the approximate average short-term borrowings out-standing during the period and the approximate weighted-average interest rate (and a brief description of the means used to compute such average) for such aggregate short-term borrowings. The disclosure required by this subsection need not be furnished as regards borrowings in each particular category when the aggregate amount of such borrowings at the balance sheet date does not exceed one percent of assets at that date. Notwithstanding this reporting threshold, if the weighted average of such borrowings at year-end, the disclosure called for by this subsection should be furnished. This information is not required to be given for any category of short-term borrowings for which the average balance outstanding during the period was less than 30 percent of stockholders equity at the end of the period.

- 4) Federal regulation. Describe briefly, to the extent not otherwise covered by other items, federal regulation of the applicant and the conduct of its operations. In particular, describe briefly the insurance of accounts and the general regulatory authority of the Federal Deposit Insurance Corporation, and federal regulatory capital requirements, the results of the applicant's efforts to meet these requirements, and the applicant's regulatory capital position, in relation to these requirements. Also describe the assessment authority and requirements of the Federal Deposit Insurance Corporation, the Financing Corporation, and the Resolution Funding Corporation.

- 5) Federal Home Loan Bank System. If a member, describe briefly the Federal Home Loan Bank System and state that the applicant is a member. Such description shall include:

- 1) Limitations on borrowings.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

- 2) Recent loan policies of the applicant's Federal Home Loan Bank and current interest rates, and

- 3) Federal Home Loan Bank stock purchase requirements and the applicant's position with respect to those requirements.

- 4) State regulation. Describe briefly, to the extent not otherwise covered by other items, State regulations of the applicant and the conduct of its operations. In particular, describe briefly the general regulatory authority of the Commissioner, and State regulatory capital requirements, the results of failure to meet those requirements, and the applicant's regulatory capital position in relation to those requirements (Section 5001 of the Act and Section 1075.410). Also describe the supervisory fee assessment authority and requirements of the Commissioner.

- 5) Federal and state taxation. Describe briefly the federal income tax laws applicable to the applicant including:

- 1) Permissible bad debt reserves;

- 2) The applicant's position with respect to the maximum bad debt reserve limitations as of the date of the latest statement of financial condition required under Section 1075.2440(a);

- 3) Future increases in the effective income tax rate;

- 4) The date through which the applicant's Federal income tax returns have been audited by the Internal Revenue Service, and

- 5) The tax effect to the applicant of the payment of cash dividends on capital stock of the applicant after conversion. Also describe briefly the State taxation of the applicant.

- 6) Competition. Describe the material sources of competition for savings banks generally and indicate to the extent practicable the applicant's position in its principal lending and deposit markets. In answering subsection 6, to the extent known, the applicant's deposit and mortgage product market shares by county in its geographic market. Also indicate its rank and any

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

material changes or trends in its competitive standing.

k) Office and other material properties.

1) Furnish the location of the applicant's home office and each existing and approved branch office and other office facilities (such as mobile or satellite offices). State the total net book value of all such offices as of the date of the latest statement of financial condition required by Section 1075.2440 (a). If any such office is leased, state the expiration dates of such leases.

2) Describe briefly undeveloped land owned by the applicant, including location, net book value, and prospective use and holding period. If the applicant or a subsidiary owns or leases electronic data processing equipment principally for its own use, describe briefly such equipment indicating net book value, if owned or the principal lease terms if leased.

l) Employees. State the number of persons employed full time by the applicant including executive officers listed under Section 1075.2350. State whether employees are represented by a collective bargaining group and whether the applicant's relations with its employees is satisfactory. Summarize briefly any loans, profit sharing, retirement, medical, hospitalization or other remuneration plans provided for employees not already included pursuant to Section 1075.2360.

m) Service corporations. Describe briefly the applicant's investment in any subsidiary and the major lines of business (including any joint ventures) of the subsidiary which are material to its operations.

n) Legal proceedings. Furnish the information regarding legal proceedings required to be disclosed in a registration statement filed under the Securities Exchange Act of 1934. In particular, see Item 103 of the "General Rules Regarding Disclosures: Regulations S-K Standard Instructions for Filing Forms under Securities Act of 1933 and the Securities Exchange Act of 1934" (4 CFR 229.103). Unless the context otherwise requires, the word "registrant" in that regulation shall refer to the applicant.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

o) Additional information. The Commissioner may upon the request of applicant, and where consistent with the protection of accounts holders, permit the omission of any of the information required by this section or the furnishing in substitution thereof of appropriate information of comparable character. The Commissioner may also require the furnishing of other information in addition to or in substitution for the information required by this section in any case where such information is necessary or appropriate for an adequate description of the applicant's business done or intended to be done.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993)
Section 1075.2390 Proxy statement -- Description of the Plan of Conversion

a) A statement to the following effect shall be inserted in the proxy statement immediately preceding the information required by this Section: "The Commissioner of Savings and Residential Finance has given approval to the plan of conversion, subject to its approval by members and the satisfaction of certain other conditions. However, such approval by the Commissioner does not constitute a recommendation or endorsement of the plan by the Commissioner".

b) The proxy statement shall contain a description of the plan of conversion. Such description shall contain the information required by subsections (c) through (i) below and such additional information as may be necessary to accurately describe the material provisions of the plan.

c) Briefly describe the effects of conversion from a mutual institution to a stock institution including the following information:

1) State that deposit accounts of the applicant will not be affected by the conversion with respect to such matters as balances in the accounts and the extent of insurance of accounts by the Savings Association Insurance Fund or the Bank Insurance Fund, as the case may be.

2) State that deposit and borrowing members of the applicant will not continue to have voting rights in the applicant after conversion and that the

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

members of the stock savings bank shall be only the owners of its capital stock:

- 3) State the present liquidation rights of account holders and describe the liquidation account to be established and maintained by the applicant, including the conditions under which such account will be paid, the interest of eligible account holders in such account and the formula by which such account will be adjusted;
 - 4) State that the rights and obligations of borrowers from the applicant will not be changed in any manner;
 - 5) State that capital stock to be sold by the applicant will not be insured by the Savings Association Insurance Fund or the Bank Insurance Fund, as the case may be;
 - 6) State that none of the assets of the applicant will be distributed in order to effect the conversion other than to pay expenses incident thereto; and
 - 7) State briefly the reasons why management is recommending the conversion, including any advantages to the community served by the applicant.
- d) With respect to the subscription rights of members, furnish the following information:
- 1) The formula to be used for determining the subscription rights of account holders to purchase shares;
 - 2) Any optional provisions included in the plan of conversion pursuant to Section 1075.1925 for the purchase of shares of capital stock;
 - 3) The allocation formulas to be used when there is an oversubscription of shares at any time during the sale of stock under the plan of conversions; and
 - 4) The use and time of the order forms with respect to the exercise of subscription rights.
- e) Offering price range:

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

- 1) Set forth on a per-share basis the estimated public offering price range of the shares of capital stock to be sold pursuant to the plan of conversion, except that an estimated price range is not required to be stated if the offering of stock is not to begin until after the meeting of members to vote on the plan of conversion;
 - 2) State that the offering price will be the "pro forma" market value of such shares as determined by the applicant's management and the underwriter, as the case may be; and
 - 3) State that all the shares are required to be sold.
- f) Earning and book value per share:
- 1) Unless the offering of stock is not to begin until after the meeting of members to vote on the plan of conversion, discuss:
 - A) the earnings per share of the capital stock to be sold on a "pro forma" basis as of the most recent year-end and interim period required by Section 1075.2440(a); and
 - B) the book value per share on a "pro forma" basis as of the most recent year-end and interim period required by Section 1075.2440(a).
 - 2) In completing subsection (f)(1) above, the following shall apply:
 - A) Earnings and book value per share shall be furnished without giving effect to the estimated net proceeds from the sale of the capital stock and then after giving effect to such proceeds, with all assumptions used clearly stated.
 - B) In computing "pro forma" earnings, the applicant shall use the arithmetic average of the:
 - i) average yield on all interest-earning assets (Section 1075.2370(d)(4)(A)(iv)); and

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

ii) average rate paid on deposits (Section 1075.2370(d)(4)(B)(i)).

c) If significant changes in interest rates occur during the period presented, the Commissioner will consider permitting alternative computations proposed by an applicant that are properly supported.

d) An appropriate statement should be included which explains that the "pro forma" data should not be relied upon as indicative of the actual financial position or results of continuing operations that will be experienced by the applicant after its conversion.

g) State the proposed beginning and ending dates of the subscription period and describe any provisions in the plan of conversion related to the timing or extension of the subscription period. Also, state:

- 1) That a maximum subscription price will be set forth in the offering circular used for offering of subscription rights.
- 2) That the actual subscription price will be the public offering price.
- 3) That the actual subscription price will not exceed the maximum subscription price shown on the order form; and
- 4) That any difference between the maximum and actual subscription prices will be refunded unless the subscribers affirmatively elect to have the difference applied to the purchase of additional shares of capital stock.

h) Furnish the following information:

- 1) Describe to the extent practicable the applicant's present intentions with respect to listing the capital stock on an exchange or otherwise providing a market for the purchase and sale of the capital stock in the future;
- 2) Describe briefly the tax effect of the conversion both to the applicant and to the various classes of

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

account holders receiving nontransferable subscription rights to purchase capital stock in the conversion; and

3) State that the plan of conversion is attached as an exhibit to the proxy statement (or will be made available on request if the summary proxy statement provided for Section 1075.1925 is being used) and should be consulted for further information.

i) State whether the plan of conversion provides for:

- 1) unsubscribed capital stock to be offered to the public through underwriters or directly by the converting savings bank. If such is the case, provide the information to the extent known required by Section 1075.2580 and indicate the estimated timing of the proposed offering; and
- 2) the purchase by any person or group of any insignificant residue of shares remaining at the conclusion of the offering.

j) Furnish the following information in tabular form regarding proposed purchases of capital stock involving directors and officers of the applicant:

- 1) State the total number of shares proposed to be purchased by all officers, directors and their affiliates as a group without naming them.
- 2) As to each officer and director named in Section 1075.2350(a), name him or her, state his or her position, and the number of shares proposed to be purchased by him or her.
- 3) As to any officer, director or affiliate thereof who proposes to purchase 1 percent or more of the total number of shares of capital stock of the applicant to be outstanding, name him or her, state his or her position, and the number of shares proposed to be purchased by him or her.
- 4) With respect to the information required by subsection (1)(i), (2) and (3) above, indicate separately the number of shares proposed to be purchased in each offering category.

NOTICE OF ADOPTED AMENDMENTS

- 5) With respect to the information requested as to affiliates of officers, such information is required only to the extent known. In a case where such confirmation is not obtainable, only the number of shares which the affiliate is given subscription rights to purchase need be disclosed.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2390 Proxy Statement -- Description of Capital Stock

- a) Furnish the information regarding capital stock of the applicant required to be disclosed in a registration statement filed under the Securities Exchange Act of 1934. In particular see Item 202 of the "General Rules Regarding Disclosures: Regulations S-K -- Standard Instructions for Filing Forms under Securities Act of 1933 and the Securities Exchange Act of 1934" (17 CFR 229.202, no subsequent dates or editions). Unless the context otherwise requires the term "registrant" in the regulation shall refer to the applicant.

- b) An undertaking should be included in the proxy statement that the applicant where practical will use its best efforts to encourage and assist a professional market maker in establishing and maintaining a market for the capital stock of the applicant.

c) Trading market:

- 1) Outline briefly the trading market that is expected to exist for the capital stock following the conversion including the estimate number of market makers and stockholders, and the anticipated success of the applicant in listing the stock.

- 2) Any discussion of the listing of the applicant's stock should include the basic requirements that must be met for such listing.

- d) If the rights evidenced by the capital stock will be materially limited or qualified by the rights of savings account holders or borrowers, include the information regarding the limitations or qualifications necessary to enable investors to understand the rights evidenced by the capital stock.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

NOTICE OF ADOPTED AMENDMENTS

Section 1075.2400 Proxy Statement -- Capitalization

- a) Set forth in substantially the tabular form indicated below the dollar amounts of the capitalization of the applicant. Captions below may be modified as appropriate.

(A)	(B)	(C)
Capitaliza- tion as of Most Recent Balance Sheet Date	Pro forma adjustments as a result of conversion to the Conversion	Pro forma Capitaliza- tion After Giving Effect to the Conversion
Deposits		
FHL bank advances.....		
Other.....		
Borrowings		
Capital Stock.....		
Preferred stock.....		
Paid-in capital.....		
Retained earnings:		
Restricted.....		
Unrestricted.....		
Total.....		

- b) In furnishing the information required by subsection (a) above, the following shall apply:

- 1) With respect to capital stock, indicate in the table or in a footnote the total number of shares to be authorized, the par or stated value of such shares, and the number of shares to be sold as part of the conversion.
- 2) With respect to the funds to be received by the applicant from the sale of its capital stock, indicate in the table the estimated total of funds to be obtained, and in a footnote, state the price per share used in making the estimate. The total amount and price per share shall be clearly identified as being estimates.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

- 2) With respect to Column A, the applicant should use the most recent balance sheet date required by Section 1075.2450.

periodic reporting and other requirements of the Securities Exchange Act of 1934 will be applicable.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2410 Proxy Statement -- Use of New CapitalSection 1075.2440 Proxy Statement -- Financial Statements

- a) State the principal purposes for which the net proceeds to the applicant from the capital stock to be sold are intended to be invested or otherwise used and the approximate amount intended for each such purpose.

This section specifies the consolidated balance sheets, the consolidated statements of income, the consolidated statements of cash flows, and stockholders' equity required to be included in the proxy statement. If the applicant has previously used an audit period in connection with its certified financial statements which does not coincide with its fiscal year, such audit period may be used in place of any fiscal year requirement provided it covers a full twelve months' operations and is used consistently.

- b) Detail of proposed investments are not to be given. There needs to be furnished, for example, only a brief statement of any investment or other activity of the applicant which will be affected materially by availability of the proceeds. Examples of such activities may include expanded secondary market activities, larger scale lending projects, loan portfolio diversification, increased liquidity investments, repayment of debt, additional branch offices and other facilities, service corporation investments, and acquisitions.

- a) Consolidated balance sheets.

- 1) There shall be furnished for the applicant and its subsidiaries consolidated, audited balance sheets as of the end of each of the two most recent fiscal years.

- 2) If the latest balance sheets furnished under subsection (a)(1) above are in excess of 135 days before the date of the Commissioner's approval of the conversion, there shall be furnished an interim balance sheet as of a date within 135 days of such approval. This interim balance sheet need not be audited.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2420 Proxy Statement -- New Charter, Bylaws, or Other Documents

Describe briefly any material differences between the the existing charter, bylaws, and any similar documents of the applicant and those which will make effect the conversion. This section requires only a brief summary of the provisions which are submitted from both an investor's standpoint and a voting standpoint. A complete legal description of the provisions referred to is not required and should not be given. Do not set forth the provisions verbatim, only a succinct resume is required.

- b) Consolidated statements of income and cash flows.

- 1) There shall be furnished for the applicant and its subsidiaries and predecessors consolidated, audited statements of income and cash flows for each of the three fiscal years immediately preceding the date of the most recent balance sheet furnished.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2430 Proxy Statement -- Other Matters

If applicable, state that the applicant will register its capital stock under Section 12(g) of the Securities Exchange Act of 1934, and that it will not deregister such stock for a period of three years. It should be noted that upon such registration, the proxy rules, insider trading reporting and restrictions, annual and

- 2) In addition, for any interim period between the latest audited balance sheet and the date of the most recent interim balance sheet being filed, and for the corresponding period of the preceding fiscal year, statements of income and cash flows shall be furnished. The interim financial statements may be unaudited.

- c) Changes in stockholders' equity. An analysis of the

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

changes in each caption of stockholders' equity presented in the balance sheets shall be given in a note or separate statement. This analysis shall be presented in the form of a reconciliation of the beginning balance to the ending balance on each period. The reconciliation shall include the following items: (a) items which are added to or subtracted from the beginning balance; (b) items which are added to or subtracted from the ending balance; and (c) items which are added to or subtracted from the beginning balance and the ending balance. The reconciliation shall be furnished with significant reconciling items described by appropriate captions.

d) Financial statements of business acquired or to be acquired. There shall be furnished the information required by 17 CFR 210.3-05 and 17 CFR 210.11-01 to - 03, 1992, no subsequent dates or editions, regarding business acquired or to be acquired.

e) Separate financial statements of subsidiaries not consolidated and 50-percent- or less owned persons. There shall be furnished the information required by 17 CFR 210.3-09 regarding separate financial statements of subsidiaries not consolidated and 50-percent- or less owned persons.

f) Filing of other statements in certain cases. The Commissioner may, upon the request of the applicant, and where consistent with the protection of account holders and others, permit the omission of one or more of the statements required or the filing in substitution therefor of appropriate statements of comparable character. The Commissioner may also require the inclusion of other statements in addition to, or in substitution for, the statements herein required in any case where such statements are necessary or appropriate for an adequate presentation of the financial condition of any person whose financial statements are required, or whose statements are otherwise necessary for the protection of account holders and others.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075-2450 Proxy Statement -- Consents of Experts and Reports

a) The proxy statement shall briefly describe all consents of experts filed pursuant to Section 1075.2210(g).

b) The statement shall contain a report of the independent public accountants who have certified the financial statements and other matters in the statement.

c) Subsections (a) and (b) above require only a brief summary of the provisions which are permitted from an investment standpoint and a voting standpoint. A detailed legal description of the provision referred to is not required and should not be given. Do not set forth the provision verbatim; only a succinct resume is required.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075-2460 Proxy Statement -- Attachments

There shall be attached to the proxy statement distributed to members and others a copy of the applicant's plan of conversion as approved by the Commissioner unless the proxy statement contains a provision indicating that the plan of conversion will not be provided unless the recipient so requests within a specified period by a postage-paid postcard or other written communication.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075-2500 Offering Circular

An offering circular shall conform to the requirements of Sections 1075.2500 through 1075.2580.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075-2510 Offering Circular -- Certain Manner of Presentation of Required Information Prohibited

The information required in an offering circular shall not be set forth in such fashion as to obscure any of the required information or any information necessary to keep the required information from being incomplete or misleading.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075-2520 Offering Circular -- Certain Named Persons -- Filing of Written Consent Required

If any person who has not signed an application is named in the offering circular as about to become a director, the written consent of this person shall be filed with the Commissioner in the form the Commissioner prescribes.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

NOTICE OF ADOPTED AMENDMENTS

Section 1075.2550 Offering Circular -- Information Required

- a) The offering circular shall be dated as of the date of its issuance. The offering circular shall contain substantially the same information required to be included in the proxy statement of the applicant distributed to members to vote upon the plan of conversion. Information of the type required to be included in the proxy statement may not be omitted from the offering circular only because the information is immaterial. The offering circular may be in "wrap around" form with the proxy statement attached. The term "offering circular" refers to both the offering circular for the subscription offering and the offering circular for the public offering through an underwriter or the direct community marketing by the converting savings bank of the unsubscribed shares, unless otherwise indicated.

- b) An offering circular for the subscription offering in "wrap around" form distributed to members and other persons who have previously been furnished a copy of the proxy statement need not contain the proxy statement as an attachment provided such offering circular states that a copy of the proxy statement has previously been furnished to such persons and that an additional copy thereof will be furnished promptly upon request to the applicant [with the telephone number and mailing address of the applicant stated].

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2540 Offering Circular -- Additional Current Information Required

Each offering circular shall, as of its respective dates of issuance, include, to the extent available, the following additional current information to the extent that such information is not already included in the proxy statement:

- a) Information with respect to the vote of members upon the plan of conversion and any other proposals considered at the meeting of members.
- b) Information with respect to any recent material developments in the business or affairs of the applicant.
- c) Information with respect to the trading market that is

NOTICE OF ADOPTED AMENDMENTS

expected to exist for the capital stock following the conversion.

- d) Information, on the outside front cover page, summarizing the results of any separate subscription offering including the number of shares sold to eligible account holders, voting members and others, the price at which the shares were sold, and the number of unsubscribed shares.

- e) The information required by Section 1075.2380(e)(1) and (f).

- f) Any other information necessary to make such offering circular current including full financial statements of the applicant within 60 days before the date of issuance of such offering circular. In addition, a subscription offering circular shall contain any more recent financial statements which at the time the subscription offering begins it can be determined will be required to be included in an offering circular to be used in the direct community offering or public offering pursuant to this subsection.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2550 Offering Circular -- Statement Required in Offering Circulars

There shall be set forth on the outside cover page of every offering circular the following statement in capital letters printed in bold-face Roman type at least as large as ten-point modern type and at least two points leaded: "These shares have not been approved or disapproved by the Illinois Commissioner of Savings and Residential Finance, nor has the Commissioner passed upon the accuracy or adequacy of this offering circular. Any representation to the contrary is unlawful."

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

Section 1075.2560 Offering Circular -- Preliminary Offering Circular

The outside front cover page of any preliminary offering circular shall bear, in red ink, the caption "Preliminary Offering Circular", the date of its issuance, and the following statement printed in type as large as that used generally in the body of such offering circular:

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF ADOPTED AMENDMENTS

confirm sales to any accounts over which it exercises discretionary authority and include an estimate of the number of shares so intended to be confirmed. Such information may be omitted from the offering circular for any subscription offering. With respect to this subsection, the following shall apply:

- 1) Commissions include all cash, securities, contracts, or anything else of value, paid, to be set aside, disclosed of, or understandings made with or for the benefit of any persons in which any underwriter or dealer is interested, in connection with the sale of the shares.
- 2) Only commissions paid by the applicant in cash are to be included in the table. Any other consideration the underwriters shall best forth following the table with a reference thereto in the second column of the table. Any finder's fees or similar payments shall be appropriately disclosed.
- 3) All that is required as to the nature of the underwriters' obligation is whether the underwriters are or will be committed to take and to pay for all the shares if any are taken, or whether it is merely an agency or "best efforts" arrangement under which the underwriters are required to take and pay for only such shares as they may sell to the public. Conditions precedent to the underwriters' taking the shares, including customary "market outs," need not be described. If a "best efforts" arrangement is used, describe any standby commitments for shares not sold.

f) If any shares are to be sold by the converting savings bank through a direct community marketing, indicate the timing of the offering, the geographical area where the offering will be made, the method to be employed to market the shares, including the frequency and nature of communications or contracts with potential purchasers, any preferences that will be given any such geographical area or class of potential purchasers, and the limitations on purchases by potential purchasers.

(Source: Added at 17 Ill. Reg. 8894, effective June 7, 1993.)

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

- 1) Heading of Part: Cancellation, Revocation or Suspension of Licenses or Permits
- 2) Code Citation: 92 Ill. Adm. Code 1040
- 3) Section Numbers Adopted Action
1040.102 New Section
- 4) Statutory Authority: Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95 1/2, par. 2-104(b)) [625 ILCS 5/2-104(b)] and Sections 6-201 et seq. of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95 1/2, par. 6-201 et seq.) [625 ILCS 5/6-201 et seq.].
- 5) Effective Date of Amendments: June 2, 1993
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: June 2, 1993
- 9) Notice of Proposal Published in Illinois Register: 17 Ill. Reg. 2856 (March 5, 1993)
- 10) Has JCAR Issued a Statement of Objections to this Rule? No.
- 11) Differences between proposal and final version:
Pursuant to suggestions from the Administrative Code Division of the Secretary of State the following changes were made:
The new ILCS citations were integrated in brackets following any reference to the Ill. Rev. Stat. omitting "formerly". In the Authority Section all changes were made using strike-outs and underscoring, and in the Source note one blank was deleted as requested.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the Agreement Letter issued by JCAR? N/A
- 13) Will this rule replace any Emergency Rule(s) currently in effect? No
- 14) Are there any other amendments pending on this Part? Yes

<u>Section Number</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
1040.101	Amendment	17 Ill. Reg. 1747 (February 16, 1993)

NOTICE OF ADOPTED AMENDMENT(S)

15) Summary and Purpose of Rule: This proposed rulemaking outlines the procedures for handling suspensions and cancellations based upon unpaid parking tickets, traffic fines, or a returned check and the driver has filed bankruptcy.

16) Information and answers to questions regarding this Adopted Rule should be directed to:

Robert J. Watkins
Assistant Counsel to the Secretary
2701 S. Dirksen Parkway
Springfield, IL 62723
Tel: 217/782-5356

The full text of the Adopted Rule begins on the next page.

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

PART 1040

CANCELLATION, REVOCATION OR SUSPENSION OF LICENSES OR PERMITS

Section	
1040.10	Court to Forward Licenses and Reports of Convictions
1040.20	Illinois Traffic Offense Table
1040.25	Suspension or Revocation for Driving Without a Valid Driver's License
1040.30	3 or More Traffic Offenses Committed Within 12 Months
1040.31	Operating a Motor Vehicle During a Period of Suspension or Revocation
1040.32	Suspension or Revocation of Driver's Licenses, Permits or Identification Cards Used Fraudulently
1040.35	Commission of an Offense Requiring Mandatory Revocation Upon Conviction
1040.38	Commission of a Traffic Offense in Another State
1040.40	Repeated Conditions or Collisions
1040.41	Suspension of Licenses for Curfew Violations
1040.42	Eluding
1040.43	Illegal Transportation
1040.46	Fatal Accidents & Personal Injury Suspensions or Revocations
1040.48	Vehicle Emission Suspensions
1040.50	Suspension or Revocation of a License of Commercial Vehicle Driver
1040.55	Suspension or Revocation for Driver's License Classification Violations
1040.60	Release of Information Regarding a Disposition of Court Supervision
1040.65	Offenses Occurring on Military Bases
1040.66	Invalidation of a Restricted Driving Permit
1040.70	National Driver Register
1040.80	Cancellation of Driver's License Upon Issuance of a Handicapped Identification Card
1040.100	Rescissions
1040.101	Reinstatement Fees
1040.102	Bankruptcy for Suspensions, Cancellations, Failure to Pay and Returned Checks Actions

AUTHORITY: Implementing Articles II and VII of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 198991, ch. 95 1/2, pars. 6-201 et seq. and 6-700 et seq.) [625 ILCS 5/6-201 et seq. and 5/6-700 et seq.] and authorized by Section 2-104(b) of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 198991, ch. 95 1/2, par. 2-104(b)) [625 ILCS 5/2-104(b)].

SOURCE: Filed September 22, 1972; amended at 3 Ill. Reg. 36, p. 282, effective

NOTICE OF ADOPTED AMENDMENT(S)

June 30, 1979; amended at 5 Ill. Reg. 3533, effective April 1, 1981; amended at 6 Ill. Reg. 4239, effective April 2, 1982; codified at 6 Ill. Reg. 12674; amended at 8 Ill. Reg. 2200, effective February 1, 1984; amended at 8 Ill. Reg. 3783, effective March 13, 1984; amended at 8 Ill. Reg. 18925, effective September 25, 1984; amended at 8 Ill. Reg. 23385, effective November 21, 1984; amended at 10 Ill. Reg. 15265, effective September 4, 1986; amended at 11 Ill. Reg. 16977, effective October 1, 1987; amended at 11 Ill. Reg. 20657, effective December 8, 1987; amended at 12 Ill. Reg. 2148, effective January 11, 1988; amended at 12 Ill. Reg. 14351, effective September 1, 1988; amended at 12 Ill. Reg. 15625, effective September 15, 1988; amended at 12 Ill. Reg. 16153, effective September 15, 1988; amended at 12 Ill. Reg. 16906, effective October 1, 1988; amended at 12 Ill. Reg. 17120, effective October 1, 1988; amended at 13 Ill. Reg. 1593, effective January 23, 1989; amended at 13 Ill. Reg. 5162, effective April 1, 1989; amended at 13 Ill. Reg. 7802, effective May 15, 1989; amended at 13 Ill. Reg. 8659, effective June 1, 1989; amended at 13 Ill. Reg. 17087, effective October 16, 1989; amended at 13 Ill. Reg. 20127, effective December 8, 1989; amended at 14 Ill. Reg. 2944, effective February 7, 1990; amended at 14 Ill. Reg. 3664, effective February 27, 1990; amended at 14 Ill. Reg. 5178, effective April 1, 1990; amended at 14 Ill. Reg. 5560, effective March 22, 1990; amended at 14 Ill. Reg. 14177, effective August 21, 1990; amended at 14 Ill. Reg. 18088, effective October 22, 1990; amended at 15 Ill. Reg. 14258, effective September 24, 1991; amended at 17 Ill. Reg. 2128, effective February 19, 1993; amended at 17 Ill. Reg. 9028, effective June 2, 1993.

Section 1040.102 Bankruptcy Rule for Suspensions, Cancellations, Failure to Pay and Returned Checks Actions

a) For purposes of this Section, the following definitions shall apply:

- "Bankruptcy Debtor" - a debtor under any chapter of the Federal Bankruptcy Code.
- "Cancellation" - the annulment or termination of a drivers license by formal action of the Secretary because the licensee is no longer entitled to such license.
- "Chapter 13 Plan" - an order by a United States Bankruptcy Court requiring a monthly payment from the wages of a debtor.
- "Creditor" - a person to whom a debt is owed by another.
- "Debtor" - one who owes a debt.
- "Deletion" - the permanent removal of an entry from a driving record.
- "Department" - Department of Driver Services of the Office of the Secretary of State.

NOTICE OF ADOPTED AMENDMENT(S)

"Failure to Pay" - an indication on a driving record that an individual has failed to pay fines and costs in full on a traffic ticket which prohibits the renewal or reissuance of a drivers license.

"Notice of Automatic Stay" - any notice received by the Department that indicates a debtor has filed a Petition in Bankruptcy, which automatically stays any proceedings against him pursuant to Section 362 of the Bankruptcy Reform Act of 1978 (11 U.S.C. Section 362).

"Notice of Meeting of Creditors" - a notice from the United States Bankruptcy Court informing the entities which have a claim against the debtor that the debtor has filed bankruptcy.

"Parking Suspension" - a suspension imposed for failure to pay fines or penalties for standing or parking violations pursuant to 6-306.5 of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95 1/2, par. 6-306.5) [625 ILCS 5/6-306.5]

"Petition for Discharge Filed in Bankruptcy" - an order by a United States Bankruptcy Court relieving an individual from all of his/her debts which are provable in bankruptcy, except those excluded by the Bankruptcy Code.

"Petition in Bankruptcy" - a petition filed in Bankruptcy Court, or with the Clerk, by a debtor seeking the protection of the Bankruptcy Code.

"Rescission" - to set aside, annul, render void, or cancel an order.

"Returned Check" - any check which is delivered to the Office of the Secretary of State as payment of any fee and such check is not honored by the bank on which it is drawn.

"Schedule A-3" - Schedule of Liabilities.

"Trustee Report of No Assets" - a report from the trustee of the United States Bankruptcy Court indicating the debtor has no assets.

If a debtor's driving privileges have been or will be suspended for a parking suspension pursuant to Section 6-306.5 of the Illinois Driver Licensing Law of the Illinois Vehicle Code, and if said parking or standing tickets are issued prior to petition for discharge; or, if a debtor's driving privileges have been or will be cancelled as a result of a returned check pursuant to Section 6-201(a)3 of the Illinois

b)

NOTICE OF ADOPTED AMENDMENT(S)

Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1994, ch. 95 1/2, par. 6-201(a)(3))[625 ILCS 5/6-201(a)(3)], proper notice to the Department shall result in the rescission of the suspension or cancellation from the driving record.

- c) If a debtor's privilege to renew or be reissued a drivers license has been or will be prohibited based upon a returned check pursuant to Section 6-201(a)(3) of the Illinois Driver Licensing Law of the Illinois Vehicle Code, or based upon a report of failure to pay traffic fines and court costs pursuant to Section 6-306.6 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95 1/2, par. 6-306.6)[625 ILCS 5/6-306.6], proper notice to the Department shall result in the deletion of this indication from the driving record.

- d) Proper notice shall consist of, but not limited to, one of the following:

- 1) Petition in Bankruptcy
- 2) Notice of meeting of Creditors
- 3) Schedule A-3 or Schedule of Creditors
- 4) Trustee Report of No Assets
- 5) Petition for Discharge Filed in Bankruptcy
- 6) Notice of Automatic Stay
- 7) Chapter 13 Wage Earner Plan

- e) Any evidence documenting an event prior in time to actual petition for discharge shall be used by the Department to confirm a petition for discharge in bankruptcy has occurred.

- f) The debtor shall notify the Department if the Petition in Bankruptcy has been dismissed or the debt has been discharged in bankruptcy.

- g) Any previous action taken by the Department to rescind a suspension or prevent the renewal or reissuance of a driver's license or permit based upon proper notice of bankruptcy under this Section shall be reinstituted when:

- 1) the Petition in Bankruptcy has been dismissed; or
- 2) the United States Bankruptcy Court orders the debt nondischargeable; or

NOTICE OF ADOPTED AMENDMENT(S)

- 3) a court of competent jurisdiction enters an order finding the debt upon which the action is based nondischargeable pursuant to applicable Sections of 11 U.S.C. Section 523(a) and Bankruptcy Rule 4007 as now or hereafter amended. (11 U.S.C. Section 523(a) and Bankruptcy Rule 4007)

(Source: Added at 17 Ill. Reg. 9028, effective June 2, 1993)

DEPARTMENT OF TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

NOTICE OF ADOPTED RULES

1) Heading of Part: Morris Municipal Airport Hazard Zoning

2) Code Citation: 92 Ill. Adm. Code 67

3) Section Numbers: Adopted Action:

67.10	67.70	67.130	New Section
67.20	67.80	67.140	New Section
67.30	67.90	67-Exhibit A	New Section
67.40	67.100		New Section
67.50	67.100		New Section
67.60	67.120		New Section

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 15 1/2, par. 48.17 (620 ILCS 25/17)

5) Effective date of rules: June 8, 1993

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rule contain incorporations by reference? No

8) Date filed in Agency's principal office: June 4, 1993

9) Notice of proposal published in Illinois Register:

February 16, 1993, 17 Ill. Reg. 1767

10) Has JCAR issued a Statement of Objections to these rules? No

11) Differences between proposal and final version:

The following changes were made in agreement with JCAR and the Code Division:

The Illinois Register blanks have been lengthened.

The ILCS citations are now bracketed.

The statutory citations have been corrected.

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements letter issued by JCAR? Yes.

13) Will this rule replace an Emergency Rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and purpose of rules: This Part provides for the establishment of an airport hazard area in the vicinity of the Morris Municipal Airport. This Part provides for the safety of aircraft and persons on the ground by governing surfaces and height limitations in respect to structures erected or altered in the vicinity of the airport.

16) Information and questions regarding these adopted rules shall be directed to:

Mr. Roger Finnell
Illinois Department of Transportation
Division of Aeronautics
One Langhorne Bond Drive/Capital Airport
Springfield, Illinois 62707
(217) 785-1764

The full text of the Adopted Rule begins on the next page:

DEPARTMENT OF TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

NOTICE OF ADOPTED RULES

TITLE 92: TRANSPORTATION
CHAPTER 1: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER b: AERONAUTICSPART 67
MORRIS MUNICIPAL AIRPORT
HAZARD ZONING

Section	
67.10	Introduction
67.20	Definitions
67.30	Surfaces and Height Limitations
67.40	Use Restrictions
67.50	Non-Conforming Uses
67.60	Permits
67.70	Non-Conforming Structures or Uses or Trees Abandoned or Destroyed
67.80	Variances
67.90	Notice of Construction or Alteration
67.100	Enforcement
67.110	Appeal and Judicial Review
67.120	Penalties
67.130	Conflicting Regulations
67.140	Severability
67.EXHIBIT A	Proposed Construction Permit Request

AUTHORITY: Implementing and authorized by Section 17 of the Airport Zoning Act (Ill. Rev. Stat. 1991, ch. 15 1/2, par. 48.17) [620 ILCS 25/17].

SOURCE: Adopted at 17 Ill. Reg. _____, effective June 8, 1993.

NOTE: Capitalization denotes statutory language.

Section 67.10 Introduction

- a) This part regulates and restricts the height of structures and trees, and otherwise regulates the use of property in the vicinity of the Morris Municipal Airport by creating appropriate surfaces and establishing the boundaries thereof; providing for changes in the restrictions and boundaries of such surfaces, defining certain terms used herein; referring to the Morris Municipal Airport zoning map (Note: This zoning map can be viewed at the

b)

Department of Transportation, Division of Aeronautics, One Langhorne Bend Drive/Capital Airport, Springfield, Illinois 62707-8415.); providing for, enforcement, imposing penalties in the interest of public safety and welfare; and providing for notice of construction or alteration.

This Part is adopted at the request of the City of Morris as owner and operator of Morris Municipal Airport, pursuant to the authority conferred by the Airport Zoning Act (Act) (Ill. Rev. Stat. 1991, ch. 15 1/2, pars. 48.1 et seq.) [620 ILCS 25/17 et seq.]. IT IS HEREBY FOUND THAT AN AIRPORT HAZARD ENDANGERS THE LIVES AND PROPERTY OF USERS OF Morris Municipal Airport AND OF OCCUPANTS OF LAND OR PROPERTY IN ITS VICINITY, AND ALSO, IF OF THE OBSTRUCTION TYPE, IN EFFECT REDUCES, THE SIZE OF THE AREA AVAILABLE FOR THE LANDING, TAKING-OFF AND MANEUVERING OF AIRCRAFT, THUS TENDING TO DESTROY OR IMPAIR THE UTILITY OF Morris Municipal Airport AND THE PUBLIC INVESTMENT THEREIN.

1) ACCORDINGLY, IT IS DECLARED:

- A) THAT THE CREATION OR ESTABLISHMENT OF AN AIRPORT HAZARD IS A PUBLIC NUISANCE AND AN INJURY TO THE REGION SERVED BY MORRIS MUNICIPAL AIRPORT;
- B) THAT IT IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, PUBLIC SAFETY AND GENERAL WELFARE THAT THE CREATION OR ESTABLISHMENT OF AIRPORT HAZARDS BE PREVENTED; AND
- C) that the prevention of these hazards SHOULD BE ACCOMPLISHED TO THE EXTENT LEGALLY POSSIBLE, BY THE EXERCISE OF THE POLICE POWER, WITHOUT COMPENSATION.
- 2) IT IS FURTHER DECLARED THAT BOTH THE PREVENTION OF THE CREATION OR ESTABLISHMENT OF AIRPORT HAZARDS AND THE ELIMINATION, REMOVAL, ALTERATION, MITIGATION, OR MARKING AND/OR LIGHTING OF EXISTING AIRPORT HAZARDS ARE PUBLIC PURPOSES FOR WHICH POLITICAL SUBDIVISIONS MAY RAISE AND EXPEND PUBLIC FUNDS AND ACQUIRE LAND OR INTERESTS IN LAND. (Section 11 of the Act)

Section 67.20 Definitions

As used in this Part, the following terms have the meanings ascribed unless the context otherwise requires:

"Airport" - The Morris Municipal Airport located near

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

Morris, situated in Section 10, and part of the West Half of Section 15, Township 34 North, Range 7 East of the Third Principal Meridian, Grundy County, Illinois; also known as Morris Municipal Airport.

"Airport Elevation" - The established elevation of the highest point on the usable landing strip; the established airport elevation shall be 596 feet above mean sea level (AMSL).

"Airport Hazard" - ANY STRUCTURE, TREE, OR USE OF LAND WHICH OBSTRUCTS THE AIRSPACE REQUIRED FOR, OR IS OTHERWISE HAZARDOUS TO THE FLIGHT OF AIRCRAFT IN LANDING OR TAKING-OFF AT THE AIRPORT. (Section 3 of the Act)

"Airport Reference Point" - The point established as the approximate geographic center of the airport landing area and so designated as at Latitude 41° 25' 31.0" N and Longitude 86° 25' 07.2" W.

"Alteration" - Any construction which would result in a change in height or lateral dimensions of an existing structure.

"Approach, Transitional, Horizontal and Conical Surfaces" - These surfaces are defined in Section 67.30.

"Circling Approach Area" - That obstacle clearance area which shall be considered for aircraft maneuvering to land on a runway which is not aligned with the final approach course of the approach procedure.

"Construction" - The erection or alteration of any structure either of a permanent or temporary character.

"Department" - The Department of Transportation, Division of Aeronautics, of the State of Illinois.

"Departure Area" - That area which begins at the departure end of the runway and has a beginning width of 1000' (500' from centerline). The area tapers 15' on each side of the extended runway centerline for a distance of 2 Nautical Miles (NM). Additionally, it

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

includes a second surface that extends radially from a point on the runway centerline located 2,000' from the start end of the runway and extends the distance necessary to provide a 40:1 obstacle identification surface to reach the minimum altitudes authorized for en route operations.

"Final Approach Segment" - That area of an approach where the aircraft makes final alignment and descent for landing.

"Flight Safety Coordinator" - An employee of the Department whose duties include, but are not limited to, inspection of airports, review of complaints concerning uses of property in the vicinity of airports and inspection of structures, uses and trees in the vicinity of airports to determine if such structures, uses or trees impair the use of the airport by aircraft.

"Height" - The overall height of the top of a structure, including any appurtenances installed thereon, for the purpose of determining the height limits in all zones set forth in this Part and shown on the zoning map, the datum of which shall be mean sea level elevation unless otherwise specified.

"Initial Approach Segment" - That area of an instrument approach between a point where aircraft departs the en route phase of flight and is maneuvering to enter an intermediate segment. Such approach segments may be made along an arc, radial, course, heading, radar vector or a combination thereof.

"Intermediate Approach Segment" - That area of an approach between the initial and final approach segments where the aircraft adjusts configuration, speed and positioning along positive course guidance such as radial or course.

"Landing Area" - The area of the airport used for the landing, taking-off or taxiing of aircraft including the unprepared surfaces adjacent to the existing runways.

"Minimum Instrument Flight Altitude" - An altitude established for instrument flight between radio fixes that provides obstacle clearance over the terrain and

DEPARTMENT OF TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

NOTICE OF ADOPTED RULES

man-made objects, and is adequate for navigational performance and communications requirements.

"Non-Conforming Use" - Any structure, tree, or use of land which is lawfully in existence at the time this Part or an amendment thereto becomes effective and does not then meet the requirements of this Part.

"Non-Precision Instrument Runway" - A runway having an existing instrument approach utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in, non-precision instrument approach procedure has been approved by the Federal Aviation Administration (FAA), or planned, and for which no precision approach facilities are planned or indicated on an FAA planning document or military airport planning document.

"Obstacle Clearance" - The vertical distance between the lowest authorized flight altitudes and a prescribed surface within a specified area.

"Permit" - A permit issued by the Department of Transportation, Division of Aeronautics, pursuant to Section 67.60 of this Part.

"Person" - AN INDIVIDUAL, FIRM, partnership, CORPORATION, COMPANY, ASSOCIATION, JOINT STOCK ASSOCIATION, OR BODY POLITIC, and includes a TRUSTEE, RECEIVER, ASSIGNEE, administrator, executor, guardian, OR OTHER REPRESENTATIVE, AND INCLUDING THIS STATE and the Division of Aeronautics. (Section 7 of the Act)

"Political Subdivision" - ANY MUNICIPALITY, CITY, INCORPORATED TOWN, VILLAGE, COUNTY, TOWNSHIP, OR DISTRICT, OR AUTHORITY, OR ANY COMBINATION OF TWO OR MORE THEREOF, situated in whole or in part within any of the surfaces established by Section 67.30. (Section 6 of the Act)

"Precision Instrument Runway" - A precision instrument runway is one which provides both horizontal and vertical guidance. Guidance systems include, but are not limited to, instrument landing systems (ILS), precision approach radars (PAR), microwave landing systems (MLS) or global positioning satellites (GPS). A planned precision instrument runway is one for which

a precision approach system is indicated on a Department approved Airport Layout Plan, which is on file at the Department of Transportation, Division of Aeronautics, Bureau of Engineering, One Langhorne Bond Drive/Capital Airport, Springfield, Illinois 62707-8415.

"Runway" - An area of the airport designated for the landing or taking off of aircraft and consisting of turf or concrete, asphalt, oil and chip or other composite material that forms an all weather surface other than turf.

"Slope Ratio" - A numerical expression of a stated relationship of height to horizontal distance, e.g. 100 to 1 means one hundred feet of horizontal distance for each one foot vertically.

"State" - THE STATE OF ILLINOIS. (Section 8 of the Act)

"Structure" - Any form of construction or apparatus of a permanent or temporary character, constructed or installed by man, including any implements or material used in the erection, alteration or repair of such structure, including but without limitation, buildings, towers, smokestacks, and overhead transmission lines.

"Terminal Obstacle Clearance Area" - That area near an airport that contains the initial, intermediate and final approach segments, circling and departure areas which are a part of an instrument approach procedure.

"Tree" - Any object of natural growth.

"Utility Runway" - A runway that is constructed for and intended to be used for propeller driven aircraft of 12,500 pounds maximum gross weight or less.

"Variance" - A grant of relief by the Department from the requirements of this Part, in accordance with Section 67.80.

"Visibility Minimums" - The lowest forward horizontal distance from the cockpit of an aircraft in flight at which prominent unlighted objects may be seen and identified by day and prominent lighted objects may be seen and identified by night.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

"Visual Runway" - A visual runway is a runway intended solely for the operation of aircraft using visual approach procedures with no straight-in instrument approach procedure and no instrument designation indicated on a Department approved Airport Layout Plan, which is on file at the Department of Transportation, Division of Aeronautics, Bureau of Engineering, One Langhorne Bond Drive/Capital Airport, Springfield, Illinois 62707-8415.

Section 67.30 Surfaces and Height Limitations

a) Establishment and Creation

- 1) The following airport imaginary surfaces are established with relation to the airport and to each runway: The site of each such imaginary surface is based on the category of each runway according to the type of approach available or planned for that runway. The location and dimensions of the approach surface applied to each end of a runway are determined by the most precise approach existing or planned for that runway end.
- 2) Such airport imaginary surfaces are hereby created and established in order to carry out the provisions of this Part. Such surfaces shall include all of the land lying within the horizontal surface, conical surface, primary surface, approach surface (to include non-precision instrument approach, precision instrument approach and visual approach), transitional surface and circling approach surfaces. These surfaces are shown on the Airport Zoning Map (Note: This zoning map can be viewed at the Department of Transportation, Division of Aeronautics, One Langhorne Bond Drive/Capital Airport, Springfield, Illinois 62707-8415.) for Morris Municipal Airport prepared by Chamlin & Associates, Inc., Peru, Ill. An area located in more than one of the following surfaces is considered to be only in the surface with the more restrictive height limitation.
- 3) Except as otherwise provided in this Part, no structure or tree shall be erected, altered, allowed to grow, or maintained in any surface created by this Part to a height in excess of the height limit herein established for such surfaces.
- 4) The various surfaces described in subsections (b)

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

through (h) are hereby established, and height limitations are established in those subsections for each of the surfaces.

b) Horizontal Surface

- 1) A horizontal plane 150 feet above the established airport elevation of 586 feet Above Mean Sea Level (AMSL), the perimeter of which is constructed by swinging arcs of specified radii from the center of each end of the primary surface of each runway and connecting the adjacent arcs by lines tangent to those arcs. The radius of each arc is:
 - A) 5,000 feet for all runways designated as utility or visual;
 - B) 10,000 feet for all other runways.
- 2) The radius of the arc specified for each end of a runway will have the same arithmetical value. That value will be the highest determined for either end of the runway. When a 5,000 foot arc is encompassed by tangents connecting two adjacent 10,000 foot arcs, the 5,000 foot arc shall be disregarded on the construction of the perimeter of the horizontal surface. The horizontal surface does not include the approach and transitional surfaces.
- c) Conical Surface
 - 1) A surface extending outward and upward from the periphery of the horizontal surface at 150 feet above the airport elevation, at a slope of 20 feet horizontally for each foot vertically for a horizontal distance of 4,000 feet.
 - 2) The conical surface does not include the approach surfaces to the precision instrument runways and the transitional surfaces.
- d) Primary Surface
 - 1) A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; but when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The width of a primary surface is:
 - A) 250 feet for utility runways having only visual approaches;

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

- B) 500 feet for utility runways having non-precision instrument approaches;
- C) For other than utility runways, the width is:
- 500 feet for visual runways having only visual approaches;
 - 500 feet for non-precision instrument runways having visibility minimums greater than three-fourths statute mile;
 - 1,000 feet for a non-precision instrument runway having a non-precision instrument approach with visibility minimums as low as three-fourths statute mile, and for precision instrument runways.
- 2) The width the primary surface of a runway will be the width prescribed in this Section for the most precise that approach existing or planned for either end of that runway.
- e) Approach Surface - A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of each runway based upon the type of approach available or planned for that runway end.
- The inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of:
 - 1,250 feet for that end of a utility runway with only visual approaches;
 - 1,500 feet for that end of a runway other than a utility runway with only visual approaches;
 - 2,000 feet for that end of a utility runway with a non-precision instrument approach;
 - 3,500 feet for that end of a non-precision instrument runway, other than utility, having visibility minimums greater than three-fourths statute mile;
 - 4,000 feet for that end of a non-precision instrument runway, other than utility, having a non-precision instrument approach with visibility minimums as low as three-fourths statute mile; and
 - 16,000 feet for precision instrument runways.
 - The approach surface extends for a horizontal distance of:
 - 3,000 feet at a slope of 20 feet horizontally

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

- B) 10,000 feet at a slope of 34 feet horizontally for each foot vertically for all non-precision instrument runways other than utility; and
- C) 10,000 feet at a slope of 50 feet horizontally for each foot vertically with an additional 40,000 feet at a slope of 40 feet horizontally for each foot vertically for all precision instrument runways.
- 3) The outer width of an approach surface to an end of a runway will be that width prescribed in this subsection for the most precise approach existing or planned for that runway end.
- f) Transitional Surface - These surfaces extend outward and upward at right (90°) angles to the runway centerline at right (90°) angles to the runway centerline. The runway centerline extended at a slope of 7 feet horizontally for each foot vertically beginning at the sides of and the same as the slope of the primary surface and the approach surface, extending to a height of 150 feet above the airport elevation which is 586 feet AMSL. Transitional surfaces for those portions of the precision approach surface which project through and beyond the limits of the conical surface extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at right (90°) angles to the runway centerline.
- g) Circling Approach Surface - This is a surface 200 feet above ground level (AGL) or above the established airport elevation, whichever is greater, within three (3) nautical miles of the established reference point of Morris Municipal Airport and this surface increases in height in the proportion of 100 feet for each additional nautical mile of distance from the airport reference point up to a maximum of 500 feet.
- h) A height within a terminal obstacle clearance area, including an initial approach segment, a departure area, and a circling approach area, which would result in the vertical distance between any point on the object and an established minimum instrument flight altitude within that area or segment to be less than the required obstacle clearance.
- i) Excepted Height Limitations - Nothing in this Part shall be construed as prohibiting the growth, construction or maintenance of any tree or structure to a height up to 50 feet above the ground.

NOTICE OF ADOPTED RULES

NOTICE OF ADOPTED RULES

Section 67.40 Use Restrictions

Notwithstanding any other provisions of this Part, no use may be made of land or water within any surface established by this Part as follows:

- a) Electrical or Electronic Interference
 - 1) In such a manner as to create electrical or electronic interference with navigational signals or radio or radar communication between the airport and aircraft.
 - 2) If a complaint of such interference is received by the Department, a Flight Safety Coordinator shall determine if a hazard exists by observing all relevant factors including the type of aircraft using the airport, the traffic patterns at the airport, the time of day and frequency of the interference.
- b) Flashing or Illuminated Structures
 - 1) The installation and use of flashing or illuminated advertising or business signs, billboards, or any other type of illuminated structure which would be hazardous to aircraft.
 - 2) Determining whether a hazard exists, a Flight Safety Coordinator shall consider factors which include, but are not limited to, assessing the difficulty pilots have in distinguishing between airport lights and others or which result in glare in the eyes of pilots using the airport, thereby impairing visibility in the vicinity of the airport or endangering the landing, taking-off or maneuvering of aircraft, the proximity of the illuminated structure to the airport, and the traffic patterns at the airport.
- c) Smoke
 - 1) A use which would emit or discharge smoke that would interfere with the health and safety of pilots and the public in the use of the airport, or which would otherwise be detrimental or injurious to the health, safety and general welfare of the public in the use of the airport.
 - 2) In determining if such an emission or discharge of smoke would interfere with the health and safety of pilots and the public, a Flight Safety Coordinator shall consider all relevant factors which include, but are not limited to, the density of the smoke, frequency of the emission or

discharge, source of the smoke, general weather patterns in the vicinity, time of day, and volume and type of aircraft which use the airport.

Section 67.50 Non-Conforming Uses

- a) Regulations Not Retroactive - Those surface regulations prescribed by this Part shall not be construed to require the removal, lowering or other changes or alteration of any structure or tree not conforming to the regulations as of the effective date of this Part, or otherwise to interfere with the continuance of any non-conforming use. Nothing contained in this Part shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this Part, and is diligently prosecuted.
- b) Marking and Lighting the provisions of subsection (a) of this Section, the owner of any existing non-conforming structure is required to permit the installation, operation and maintenance of such markers and lights as shall be deemed necessary by the Department to indicate to operators of aircraft in the vicinity of the airport the presence of such airport hazards, all to be performed at the expense of the City of Morris.

In determining the necessity for such markers and lights, the Department shall consider all relevant conditions, including but not limited to, the traffic patterns, volume and type of aircraft at the airport, the general weather patterns in the surrounding area, the height of the structure and its proximity to the approach and transition slopes of the existing runways.

Section 67.60 Permits

- a) Future Uses - Except as specifically provided in subsections (a)(1), (2), and (3) of this Section, no material change shall be made in the use of land, no structure or tree shall be erected, altered, planted, or otherwise established in any surface created unless

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

a permit shall have been applied for and granted by the Department. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit to be determined whether the resulting use, structure or tree would conform to the regulations prescribed in this Part; if such determination is in the affirmative, the permit shall be granted.

1) In the areas lying within the limits of the horizontal surface and the conical surface, but which is not in violation of height restrictions of primary, transitional and approach surfaces as set forth in this Part, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground or in any approach and transitional surfaces beyond a horizontal distance of 4,200 feet from each end of the runway, except when, because of terrain, land contour or topographic features, such tree or structure would extend above the height limits prescribed for such surface.

2) In the areas lying within the limits of visual, precision instrument and non-precision instrument approach surfaces, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when such tree or structure would extend above the height limit prescribed for such visual, precision instrument or non-precision instrument approach surfaces.

3) In the areas lying within the limits of the transitional surface beyond the perimeter of the horizontal surface, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground except when such tree or structure, because of terrain, land contour or topographic features, would extend above the height limit prescribed for such transitional surface.

b) Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, alteration or growth of any structure or tree in excess of any of the height limits prescribed by this Part.

Section 67.70 Non-Conforming Structures or Uses or Trees Abandoned or Destroyed

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

Whenever the Department, following a Flight Safety Coordinator's personal inspection, observation and estimation, determines that a non-conforming structure or use or tree has been abandoned or more than 80 per cent demolished, destroyed, physically deteriorated or decayed:

- a) no permit shall be granted by the Department that would allow such structure or use or tree to exceed the applicable height limit or otherwise deviate from these zoning regulations; and
- b) whether application has been made for a permit, or not, the Department may issue an order pursuant to subsection (c) of this Section in cases where the remaining structure or use or tree constitutes a violation of this Part, compelling the owner of the non-conforming structure or use or tree, at his own expense, to lower, remove, reconstruct, or equip such structure or use or tree as may be necessary to conform to these zoning regulations. If the owner of the non-conforming structure or use or tree shall neglect or refuse to comply with such order within ten days after notice thereof, the Department may proceed to have such structure or use or tree so lowered, removed, reconstructed or equipped and shall have a lien, on behalf of the State, upon the land whereon it is or was located, in the amount of the cost and expense thereof. Such lien may be enforced by the Department on behalf of the State by suit in equity for the enforcement thereof as in the case of other liens. (Section 23 of the Act)

c) The Department shall issue an order if it is determined that the non-conforming structure or use or tree interferes with traffic patterns at the airport. In making such a determination the Department shall consider factors which include, but are not limited to, the type of aircraft using the airport, and whether or not the airport has precision instrument or instrument runways.

Section 67.80 Variances

- a) General - ANY PERSON wishing to erect or increase the height of ANY STRUCTURE, OR PERMIT ANY GROWTH, OR USE HIS PROPERTY not in accordance with these ZONING REGULATIONS, MAY APPLY TO THE DEPARTMENT FOR A VARIANCE FROM THESE ZONING REGULATIONS. SUCH VARIANCES SHALL BE ALLOWED WHERE IT IS FOUND THAT A LITERAL APPLICATION OR

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

ENFORCEMENT OF these ZONING REGULATIONS WOULD RESULT IN PRACTICAL DIFFICULTY OR UNNECESSARY HANDSHIP AND THE RELIEF GRANTED WOULD NOT BE CONTRARY TO THE PUBLIC INTEREST BUT WOULD DO SUBSTANTIAL JUSTICE AND BE IN ACCORDANCE WITH THE SPIRIT OF these ZONING REGULATIONS. (Section 24 of the Act)

- b) Marking and Lighting - Any Variance granted by the Department may be so conditioned as to require the owner of such structure or tree to permit, at the expense of the owner, the installation, operation and maintenance of such markers and lights as may be required to indicate to pilots the presence of such structure or tree.
- c) In making the determination to allow variances the Department will consider, but is not limited to considering, the proximity of the hazard to the normal flight path or traffic patterns at the airport, the proximity of other non-conforming uses, structures or trees which would impair the use of the airport, the height of the object, the volume of air traffic at the airport, the type of aircraft using the airport, the type of navigational aids used at the airport, the length and width of existing runways, and plans for future expansion of the airport.

Section 67.90 Notice of Construction or Alteration

- a) Construction or Alteration Requiring Notice - The Department shall be notified by each person (sponsor) who proposes any of the following construction or alterations with respect to the surfaces and height limitations established by Section 67.30 with respect to Morris Municipal Airport:

- 1) Any construction or alteration of more than 200 feet in height above the ground level at its site.
- 2) Any construction or alteration of greater height than an imaginary surface extending outward and upward at one of the following slopes:
 - A) 100 to 1 for a horizontal distance of 20,000 feet from the nearest point of the nearest runway of the airport, with at least one runway more than 3200 feet in actual length.
 - B) 50 to 1 for a horizontal distance of 10,000 feet from the nearest point of the nearest runway of the airport, with the longest runway not more than 3200 feet in actual length.

ILLINOIS REGISTER

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

- 3) Any highway, railroad, or other traverse way for mobile objects, of a height which would exceed a standard of subsection (a)(1) or (a)(2) of this Section, if adjusted upward: 17 feet for an Interstate Highway that is part of the National System of Military and Interstate Highways where overcrossings are designed for a minimum of 17 feet vertical distance; 15 feet for any other public roadway; 10 feet or the height of the highest mobile object that would normally traverse the road, whichever is greater, for a private road; 23 feet for a railroad; and for a waterway or any other traverse way not previously mentioned, an amount equal to the highest mobile object that would normally traverse it.
- 4) Any construction or alteration that would exceed a standard of the Act or this Part.
- b) Construction or Alteration Not Requiring Notice - No person is required to notify the Department for any of the following construction or alterations with respect to Morris Municipal Airport:
 - 1) Any antenna structure of 20 feet or less in height except one that would increase the height of another antenna structure.
 - 2) Any air navigation facility, airport visual approach or landing aid, aircraft arresting device, or meteorological device less than 50 feet in height.
 - 3) Any object that would be shielded by permanent or substantial existing structures of equal or greater height or by natural terrain or topographic features of equal or greater height, and would be located in the congested area of a city, town, or settlement where it is evident beyond all reasonable doubt that the structure so shielded will not obstruct or interfere with aircraft using the airport, or cause any additional adverse effect on airport operations by considering the height and location of the existing uses and structures.
- c) Form and Time of Notice
 - 1) Each person who is required to notify the Department under subsection (a) of this Section shall forward one executed form set in four copies of the Department's form No. DM-39 (for an example, see Exhibit A of this Part) to the Division of Aeronautics, One Langhorne Bond

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

Drive/Capital Airport, Springfield, Illinois 62707-8415. Copies of this form may be obtained from the Department and submitted at least 30 days before the date the proposed construction or alteration is to begin.

3) In the case of an emergency involving essential public services, public health, or public safety, that requires immediate construction or alteration, the 30-day requirement in subsection (c)(2) of this Section does not apply and the notice may be sent by telephone, telegraph, or other expeditious means, with an executed Department Form No. DA-39, submitted within five days. For example, an emergency could include breaks in sewer lines, gas mains or power lines.

d) Acknowledgment of Notice

1) The Department will acknowledge in writing the receipt of such notice submitted under subsection (a) of this Section within 30 days after receipt of such notice.

2) The acknowledgment will state that a study of the proposed construction or alteration has resulted in a determination that the construction or alteration:

- A) Would, under federal rules, require lighting or marking standards as prescribed in Advisory Circular, Department of Transportation, Federal Aviation Administration, (FAA), Subject: Obstruction Marking and Lighting, AC No: 70/7460-1, as provided in 14 CFR 77.11 (b)(3), January 1, 1990, not including any later amendment or editions, and information on how the structure should be marked and lighted in accordance with such FAA standards; and/or
- B) Would not exceed any standard of the Act or would Part; or
- C) Would exceed a standard of the Act, Aviation Safety Rules (92 Ill. Adm. Code 14), or this Part; or
- D) Would require supplemental information from the sponsor in order for a determination to be made by the Department.

Section 67.100 Enforcement

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

It shall be the duty of the Department to administer and enforce this Part. Applications for permits or variances, required by this Part to be submitted to the Department, shall be on forms furnished by the Department and shall be promptly considered and granted or denied.

Section 67.110 Appeal and Judicial Review

- a) APPEAL - ANY PERSON AGGRIEVED BY ANY DECISION OF THE DEPARTMENT MADE BY THE ADMINISTRATION OF THIS PART MAY PETITION THE DEPARTMENT TO REVERSE, WHOLLY OR PARTIALLY, OR MODIFY OR OTHERWISE CHANGE, ABROGATE OR REScind ANY SUCH DECISION. THE PROCEDURE PRESCRIBED BY THE ACT FOR SUCH PROCEEDINGS BEFORE BOARD OF APPEAL SHALL GOVERN SUCH APPLICATION TO THE DEPARTMENT. (Section 29 of the Act)
- b) Judicial Review - Any person aggrieved or any taxpayer affected by any decision of the Department may appeal to the Circuit Court of Grundy County, Illinois, or to the Circuit Court of any county in which the airport hazard is wholly or partly located, in accordance with the provisions the Administrative Review Law (Ill. Stat. 1991, ch. 110, pars. 3-101 et seq) [735 ILCS 5/3-101 et seq.].

Section 67.120 Penalties

Each violation of this Part or of ANY REGULATIONS, ORDERS, OR RULINGS PROMULGATED hereunder shall constitute an airport hazard and a PETTY OFFENSE, and such hazard shall be removed by proper legal proceedings and EACH DAY A VIOLATION CONTINUES TO EXIST SHALL CONSTITUTE A SEPARATE OFFENSE. IN ADDITION, THE DEPARTMENT MAY INSTITUTE IN THE Circuit Court of Grundy County, Illinois, or CIRCUIT COURT OF ANY COUNTY IN WHICH THE AIRPORT HAZARD is wholly or partly located, AN ACTION TO PREVENT AND RESTRAIN, CORRECT OR ABATE, ANY VIOLATION OF THESE ZONING REGULATIONS, OR OF ANY regulation, ORDER OR RULING MADE IN CONNECTION WITH THEIR ADMINISTRATION OR ENFORCEMENT, AND THE COURT SHALL ADJUDGE SUCH RELIEF BY WAY OF INJUNCTION (WHICH MAY BE MANDATORY) OR OTHERWISE, AS MAY BE PROPER UNDER ALL THE FACTS AND CIRCUMSTANCES OF THE CASE, IN ORDER FULLY TO EFFECTUATE THE PURPOSES OF these zoning REGULATIONS as ADOPTED AND ORDERS AND RULINGS MADE PURSUANT THERETO. (Section 34 of the Act)

Section 67.130 Conflicting Regulations

Where a conflict exists between this Part and any other regulations or ordinances applicable to the same area, whether the conflict be with respect to the height of structures or

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

trees, the use of land, or any other matter, the more stringent regulation or ordinance shall govern and prevail.

Section 67.140 Severability

If any of the provisions of this Part or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Part which can be given effect without the invalid provision or application, and to this end, the provisions of this Part are declared to be severable.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

Section 67.Exhibit A Proposed Construction Permit Request

ILLINOIS DEPARTMENT OF TRANSPORTATION
Division of Aeronautics

Name of Individual or Company

Making Request

Street

City

Zip

Phone

Nature and Description of Proposed Structure:

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

Date:

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

Title or Position:

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

Signature

}

}

}

}

}

}

}

}

}

}

}

}

}

}

}

The Illinois Department of Transportation is requesting disclosure of information that is necessary to accomplish the statutory purpose as outlined under Section 1 of the Airport Zoning Act (Ill. Rev. Stat. 1991, ch. 15 1/2, par. 48.1)(620 ILCS 25/17 (1992)). Disclosure of this information is REQUIRED. Failure to provide any information will result in denial of the construction permit. This form has been approved by the Forms Management Center.

DA-39 (Rev. 1-87) IL 494-0765

DEPARTMENT OF TRANSPORTATION
NOTICE OF ADOPTED RULES

- 1) **Heading of Part:** Scott Joint - Use Airport Hazard Zoning
- 2) **Code Citation:** 92 Ill. Adm. Code 77
- 3) **Section Numbers:**
- | | | | |
|-------|--------|--------|-------------|
| 77.10 | 77.70 | 77.130 | New Section |
| 77.20 | 77.80 | 77.140 | New Section |
| 77.30 | 77.90 | 77.150 | New Section |
| 77.40 | 77.100 | 77.160 | New Section |
| 77.50 | 77.110 | 77.170 | New Section |
| 77.60 | 77.120 | | |
- 4) **Statutory Authority:** Ill. Rev. Stat. 1991, ch. 15 1/2, par. 48.17 (620 ILCS 25/17)
- 5) **Effective date of rules:** June 8, 1993
- 6) **Does this rulemaking contain an automatic repeal date?** No
- 7) **Does this rule contain incorporations by reference?** No
- 8) **Date filed in agency's principal office:** June 4, 1993
- 9) **Notice of proposal published in Illinois Register:**
February 16, 1993, 17 Ill. Reg. 1789

10) **Has JCAR issued a Statement of Objections to these rules?** No

11) **Differences between proposal and final version:**

The following changes were made in agreement with JCAR and the Code Division:

The Illinois Register blanks have been lengthened.

The ILCS citations are now bracketed.

The statutory citations have been corrected.

12) **Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements letter issued by JCAR?** Yes.

13) **Will this rule replace an Emergency Rule currently in effect?** No

14) **Are there any amendments pending on this Part?** No

DEPARTMENT OF TRANSPORTATION
NOTICE OF ADOPTED RULES

15) **Summary and purpose of rules:** This Part provides for the establishment of an airport hazard area in the vicinity of the Scott Joint-Use Airport. This Part provides for the safety of aircraft and persons on the ground by governing surfaces and height limitations in respect to structures erected or altered in the vicinity of the airport.

16) **Information and questions regarding these adopted rules shall be directed to:**

Mr. Roger Finnell
Illinois Department of Transportation
Division of Aeronautics
One Langhorne Bond Drive/Capitol Airport
Springfield, Illinois 62707-8415
(217) 785-1764

The full text of the Adopted Rule begins on the next page:

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER B: AERONAUTICSPART 77
SCOTT JOINT-USE AIRPORT
HAZARD ZONING

- Section
- 77.10 Introduction
 - 77.20 Definitions
 - 77.30 Surfaces and Height Limitations
 - 77.40 Use Restrictions
 - 77.50 Non-Conforming Uses
 - 77.60 Permits
 - 77.70 Non-Conforming Structures or Uses or Trees Abandoned or Destroyed
 - 77.80 Variances
 - 77.90 Notice of Construction or Alteration
 - 77.100 Enforcement
 - 77.110 Appeal and Judicial Review
 - 77.120 Conflicting Regulations
 - 77.130 Conflicting Regulations
 - 77.140 Severability
 - 77.150 EXHIBIT A Proposed Construction Permit Request
- AUTHORITY: Implementing and authorized by Section 17 of the Airport Zoning Act (Ill. Rev. Stat. 1991, ch. 15 1/2, par. 48.17) [620 ILCS 25/17].

SOURCE: Adopted at 17 Ill. Reg. _____, effective June 8, 1993.

NOTE: Capitalization denotes statutory language.

Section 77.10 Introduction

- a) This Part regulates and restricts the height of structures and trees, and otherwise regulates the use of property in the vicinity of the Scott Joint-Use Airport by creating appropriate surfaces and establishing the boundaries thereof; providing for changes in the restrictions and boundaries of such surfaces, defining certain terms used herein; referring to the Scott Joint-Use Airport zoning map (Note: This zoning map can be viewed at

ILLINOIS REGISTER

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

Department of Transportation, Division of Aeronautics, One Langhorne Bond Drive/Capital Airport, Springfield, Illinois 62707-8415.); providing for enforcement; imposing penalties in the interest of public safety and welfare; and providing for notice of construction or alteration.

- b) This Part is adopted at the request of the County of St. Clair and the United States Air Force, as owner and operator of Scott Joint-Use Airport, pursuant to the authority conferred by the Airport Zoning Act (Act) (Ill. Rev. Stat. 1991, ch. 15 1/2, pars. 48.1 et seq.) [620 ILCS 25/17 et seq.]. IT IS HEREBY FOUND THAT AN AIRPORT HAZARD ENDANGERS THE LIVES AND PROPERTIES OF USERS OF Scott Joint-Use Airport AND OF OCCUPANTS OF LAND OR PROPERTY IN ITS VICINITY, AND ALSO OF THE AREA SURROUNDING THE AIRPORT, IN EFFECT REDUCING THE SIZE OF THE AVAILABLE LAND FOR THE CONSTRUCTION OF THE AIRPORT, IMPAIRING THE UTILITY OF Scott Joint-Use Airport TO DESTROY OR PUBLIC INVESTMENT THEREIN.

1) ACCORDINGLY IT IS DECLARED:

- A) THAT THE CREATION OR ESTABLISHMENT OF AN AIRPORT HAZARD IS A PUBLIC NUISANCE AND AN INJURY TO THE region SERVED BY Scott Joint-Use Airport;
- B) THAT IT IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, PUBLIC SAFETY AND GENERAL WELFARE THAT THE CREATION OR ESTABLISHMENT OF AIRPORT HAZARDS BE PREVENTED; AND
- C) that the prevention of these hazards SHOULD BE ACCOMPLISHED TO THE EXTENT LEGALLY POSSIBLE, BY THE EXERCISE OF THE POLICE POWER, WITHOUT COMPENSATION.
- 2) IT IS FURTHER DECLARED THAT BOTH THE PREVENTION OF THE CREATION OR ESTABLISHMENT OF AIRPORT HAZARDS AND THE ELIMINATION, REMOVAL, ALTERATION, MITIGATION, OR MARKING AND/OR LIGHTING OF EXISTING AIRPORT HAZARDS ARE PUBLIC PURPOSES FOR WHICH POLITICAL SUBDIVISIONS MAY RAISE AND EXPEND PUBLIC FUNDS AND ACQUIRE LAND or interests in land. (Section 11 of the Act)

Section 77.20 Definitions

As used in this Part, the following terms have the meanings ascribed unless the context otherwise requires:

"Airport" - The Scott Joint-Use Airport located near

ILLINOIS REGISTER

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

Belleville, situated in Sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, Shiloh Valley Township 1 North, Range 7 West of the 3rd Principal Meridian and Sections 7, 8, 17, 18, Mascoutah Township, Township 1 North, Range 6 West of the 3rd Principal Meridian, St. Clair County, Illinois; also known as Scott Joint-Use Airport.

"Airport Elevation" - The established elevation of the highest point on the usable landing strip; the established airport elevation shall be 455.3 feet above mean sea level (AMSL).

"Airport Hazard" - ANY STRUCTURE, TREE, OR USE OF LAND WHICH OBSTRUCTS THE AIRSPACE REQUIRED FOR, OR IS OTHERWISE HAZARDOUS TO THE FLIGHT OF AIRCRAFT IN LANDING OR TAKING-OFF AT THE AIRPORT. (Section 3 of the Act)

"Airport Reference Point" - The point established as the approximate geographic center of the airport landing area and so designated as at Latitude 38° 32' 42.5" N and Longitude 89° 50' 10.2" W.

"Alteration" - Any construction which would result in a change in height or lateral dimensions of an existing structure.

"Approach, Transitional, Horizontal and Conical Surfaces" - These surfaces are defined in Section 77.30.

"Circling Approach Area" - That obstacle clearance area which shall be considered for aircraft maneuvering to land on a runway which is not aligned with the final approach course of the approach procedure.

"Construction" - The erection or alteration of any structure either of a permanent or temporary character.

"Department" - The Department of Transportation, Division of Aeronautics, of the State of Illinois.

"Departure Area" - That area which begins at the departure end of the runway and has a beginning width of 1000' (500' from centerline). The area plays 150 on each side of the extended runway centerline for a distance of 2 Nautical Miles (NM). Additionally, it

ILLINOIS REGISTER

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

includes a second surface that extends radially from a point on the runway centerline located 2,000' from the start end of the runway and extends the distance necessary to provide a 40:1 obstacle identification surface to reach the minimum altitudes authorized for en route operations.

"Final Approach Segment" - That area of an approach where the aircraft makes final alignment and descent for landing.

"Flight Safety Coordinator" - An employee of the Department whose duties include, but are not limited to, inspection of airports, review of complaints concerning uses of property in the vicinity of airports and inspection of structures, uses, and trees in the vicinity of airports to determine if such structures, uses or trees impair the use of the airport by aircraft.

"Height" - The overall height of the top of a structure, including any obstructions installed thereon, for the purpose of determining the height limits in all zones set forth in this part and shown on the zoning map, the datum of which shall be mean sea level elevation unless otherwise specified.

"Initial Approach Segment" - That area of an instrument approach between a point where aircraft departs the en route phase of flight and is maneuvering to enter an intermediate segment. Such approach segments may be made along an arc, radial, course, heading, radar vector or a combination thereof.

"Intermediate Approach Segment" - That area of an approach between the initial and final approach segments where the aircraft adjusts configuration, speed and positioning along positive course guidance such as radial or course.

"Landing Area" - The area of the airport used for the landing, taking-off or taxiing of aircraft including the unprepared surfaces adjacent to the existing runways.

"Minimum Instrument Flight Altitude" - An altitude established for instrument flight between radio fixes that provides obstacle clearance over the terrain and

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

man-made objects, and is adequate for navigational performance and communications requirements.

"Non-Conforming Use" - Any structure, tree, or use of land which is lawfully in existence at the time this Part or an amendment thereto becomes effective and does not then meet the requirements of this Part.

"Non-Precision Instrument Runway" - A runway having an existing instrument approach utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in, non-precision instrument approach procedure has been approved by the Federal Aviation Administration (FAA), or, planned, and for which no precision approach facilities are planned or indicated on an FAA planning document or military airport planning document.

"Obstacle Clearance" - The vertical distance between the lowest authorized flight altitudes and a prescribed surface within a specified area.

"Permit" - A permit issued by the Department of Transportation, Division of Aeronautics, pursuant to Section 77.60 of this Part.

"Person" - An INDIVIDUAL, FIRM, partnership, CORPORATION, COMPANY, ASSOCIATION, JOINT STOCK ASSOCIATION, OR BODY POLITIC, and includes a TRUSTEE, RECEIVER, ASSIGNEE, administrator, executor, guardian, OR OTHER REPRESENTATIVE, AND INCLUDING THIS STATE and the Division of Aeronautics. (Section 7 of the Act)

"Political Subdivision" - ANY MUNICIPALITY, CITY, INCORPORATED TOWN, VILLAGE, COUNTY, TOWNSHIP, OR DISTRICT, OR AUTHORITY, OR ANY COMBINATION OF TWO OR MORE THEREOF, situated in whole or in part within any of the surfaces established by Section 77.30. (Section 6 of the Act)

"Precision Instrument Runway" - A precision instrument runway is one which provides both horizontal and vertical guidance. Guidance systems include, but are not limited to, instrument landing systems (ILS), precision approach radars (PAR), microwave landing systems (MLS) or global positioning satellites (GPS). A planned precision instrument runway is one for which

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

a precision approach system is indicated on a Department approved Airport Layout Plan, which is on file at the Department of Transportation, Division of Aeronautics, Bureau of Engineering, One Langhorne Bond Drive/Capital Airport, Springfield, Illinois 62707-8415.

"Runway" - An area of the airport designated for the landing or taking off of aircraft and consisting of turf or concrete, asphalt, oil and chip or other composite material that forms an all weather surface other than turf.

"Slope Ratio" - A numerical expression of a stated relationship of height to horizontal distance, e.g. 100 to 1 means one hundred feet of horizontal distance for each one foot vertically.

"State" - THE STATE OF ILLINOIS. (Section 8 of the Act)

"Structure" - Any form of construction or apparatus of a permanent or temporary character, constructed or installed by man, including any implements or material used in the erection, alteration or repair of such structure, including but without limitation, buildings, towers, smokestacks, and overhead transmission lines.

"Terminal Obstacle Clearance Area" - That area near an airport that contains the initial, intermediate and final approach segments, circling and departure areas which are a part of an instrument approach procedure.

"Tree" - Any object of natural growth.

"Utility Runway" - A runway that is constructed for and intended to be used for propeller driven aircraft of 12,500 pounds maximum gross weight or less.

"Variance" - A grant of relief by the Department from the requirements of this Part, in accordance with Section 77.80.

"Visibility Minimums" - The lowest forward horizontal distance from the cockpit of an aircraft in flight at which prominent unlighted objects may be seen and identified by day and prominent lighted objects may be seen and identified by night.

DEPARTMENT OF TRANSPORTATION
NOTICE OF ADOPTED RULES

"Visual Runway" - A visual runway is a runway intended solely for the operation of aircraft using visual approach procedures with no straight-in instrument approach procedure and no instrument designations indicated on a Department approved Airport Layout Plan, which is on file at the Department of Transportation, Division of Aeronautics, Bureau of Engineering, One Langhorne Bond Drive/Capital Airport, Springfield, Illinois 62707-8415.

Section 77.30 Surfaces and Height Limitations

- a) Establishment and Creation
 - 1) The following airport imaginary surfaces are established with relation to the airport and to each runway, the size of each such imaginary surface is based on the category of each runway surface it is based on the type of approach available or planned for that runway. The plan and dimensions of the approach surface applied to each end of a runway are determined by the most precise approach existing or planned for that runway end.
 - 2) Such airport imaginary surfaces are hereby created and established in order to carry out the provisions of this Part. Such surfaces shall include all of the land lying within the horizontal surface, conical surface, primary surface, approach surface (to include non-precision instrument approach, precision instrument approach and visual approach), transitional surface and circling approach surface. These surfaces are shown on the Airport Zoning Map (Note: This zoning map can be viewed at the Department of Transportation, Division of Aeronautics, One Langhorne Bond Drive/Capital Airport, Springfield, Illinois 62707-8415.) for Scott Joint-Use Airport prepared by TAMS/Sverdrup, Belleville, Ill. An area located in more than one of the following surfaces is considered to be only in the surface with the more restrictive height limitation.
 - 3) Except as otherwise provided in this Part, no structure or tree shall be erected, altered, allowed to grow, or maintained in any surface created by this Part to a height in excess of the height limit herein established for such surfaces. The various surfaces described in subsections (b)
 - 4)

DEPARTMENT OF TRANSPORTATION
NOTICE OF ADOPTED RULES

- b) through (h) are hereby established, and height limitations are established in those subsections for each of the surfaces.
 - Horizontal Surface
 - 1) A horizontal plane 150 feet above the established airport elevation of 455.3 feet Above Mean Sea Level (AMSL), the perimeter of which is constructed by swinging arcs of specified radii from the center of each end of the primary surface of each runway and connecting the adjacent arcs by lines tangent to those arcs. The radius of each arc is:
 - A) 5,000 feet for all runways designated as utility or visual;
 - B) 10,000 feet for all other runways.
 - 2) The radius of the arc specified for each end of a runway will have the same arithmetical value. That value will be the highest determined for either end of the runway. When a 5,000 foot arc is encompassed by tangents connecting two adjacent 10,000 foot arcs, the 5,000 foot arc shall be disregarded on the construction of the perimeter of the horizontal surface. The horizontal surface does not include the approach and transitional surfaces.
 - Conical Surfaces
 - 1) A surface extending outward and upward from the periphery of the horizontal surface at 150 feet above the airport elevation, at a slope of 20 feet horizontally for each foot vertically for a horizontal distance of 4,000 feet.
 - 2) The conical surface does not include the approach surfaces to the precision instrument runways and the transitional surfaces.
 - Primary Surface
 - 1) A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; but when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The width of a primary surface is:
 - A) 250 feet for utility runways having only visual approaches;

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

- B) 500 feet for utility runways having non-precision instrument approaches;
- C) For other than utility runways, the width is:
- i) 500 feet for visual runways having only visual approaches;
 - ii) 500 feet for non-precision instrument runways having visibility minimums greater than three-fourths statute mile;
 - iii) 1,000 feet for a non-precision instrument runway having a non-precision instrument approach with visibility minimums as low as three-fourths statute mile, and for precision instrument runways.
- 2) The width of the primary surface of a runway will be the width prescribed in this Section for the most precise approach existing or planned for either end of the runway.
- e) Approach Surface - A surface, longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of each runway based upon the type of approach available or planned for that runway end.
- 1) The inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of:
 - A) 1,250 feet for that end of a utility runway with only visual approaches;
 - B) 1,500 feet for that end of a runway other than a utility runway with only visual approaches;
 - C) 2,000 feet for that end of a utility runway with a non-precision instrument approach;
 - D) 3,500 feet for that end of a non-precision instrument runway, other than utility, having visibility minimums greater than three-fourths statute mile;
 - E) 4,000 feet for that end of a non-precision instrument runway, other than utility, having a non-precision instrument approach with visibility minimums as low as three-fourths statute mile; and
 - F) 16,000 feet for precision instrument runways.
- 2) The approach surface extends for a horizontal distance of:
- A) 5,000 feet at a slope of 20 feet horizontally

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

- for each foot vertically for all utility and visual runways;
- B) 10,000 feet at a slope of 34 feet horizontally for each foot vertically for all non-precision instrument runways other than utility; and
 - C) 10,000 feet at a slope of 50 feet horizontally for each foot vertically with an additional 40,000 feet at a slope of 40 feet horizontally for each foot vertically for all precision instrument runways.
- 3) The outer width of an approach surface to an end of a runway will be that width prescribed in this subsection for the most precise approach existing or planned for that runway end.
- f) Transitional Surface - These surfaces extend outward and upward at right (90°) angles to the runway centerline and the runway centerline extended at a slope of 7 feet horizontally for each foot vertically beginning at the sides of and at the same elevation of the primary surface and the approach surfaces extending to a height of 150 feet above the airport elevation which is 455.3 feet AMSL. Transitional surfaces for the bottom of the transition approach surface project through and beyond the limits of the original surface extend and distance of 5,000 feet measured horizontally from the edge of the approach surface and at right (90°) angles to the runway centerline.
- g) Circling Approach Surface - This is a surface 200 feet above ground level (AGL) or above the established airport elevation, whichever is greater, within three (3) nautical miles of the established reference point of Scott Joint-Use Airport and this surface increases in height in the proportion of 100 feet for each additional nautical mile of distance from the airport reference point up to a maximum of 500 feet.
- h) A height within a terminal obstacle clearance area, including an initial approach segment, a departure area, and a circling approach area, which would result in the vertical distance between any point on the object and an established minimum instrument flight altitude within that area or segment to be less than the required obstacle clearance.
- i) Excepted Height Limitations - Nothing in this Part shall be construed as prohibiting the growth, construction or maintenance of any tree or structure to a height up to 50 feet above the ground.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

Section 77.40 Use Restrictions

Notwithstanding any other provisions of this Part, no use may be made of land or water within any surface established by this Part as follows:

- a) Electrical or Electronic Interference
 - 1) In such a manner as to create electrical or electronic interference with navigational signals or radio or radar communication between the airport and aircraft.
 - 2) If a complaint of such interference is received by the Department, a Flight Safety Coordinator shall determine if a hazard exists by observing all relevant factors, including type of aircraft using the airport, the traffic patterns at the airport, the time of day and frequency of the interference.
- b) Flashing or Illuminated Structures
 - 1) The installation and use of flashing or illuminated advertising or business signs, billboards, or any other type of illuminated structure which would be hazardous for pilots.
 - 2) In determining whether such a hazard exists, a Flight Safety Coordinator shall consider factors which include, but are not limited to, assessing the difficulty pilots have in distinguishing between airport lights and others, or which result in glare in the eyes of pilots using the airport, thereby impairing visibility in the vicinity of the airport or endangering the landing, taking-off or maneuvering of aircraft, the proximity of the illuminated structure to the airport, and the traffic patterns at the airport.
- c) Smoke
 - 1) A use which would emit or discharge smoke that would interfere with the health and safety of pilots and the public in the use of the airport, or which would otherwise be detrimental or injurious to the health, safety and general welfare of the public in the use of the airport.
 - 2) In determining if such an emission or discharge of smoke would interfere with the health and safety of pilots and the public in the use of the airport, a Flight Safety Coordinator shall consider all relevant factors which include, but are not limited to, the density of the smoke, frequency of the emission of

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

Section 77.50 Non-Conforming Uses

discharge, source of the smoke, general weather patterns in the vicinity, time of day, and volume and type of aircraft which use the airport.

- a) Regulations Not Retroactive - Those surface regulations prescribed by this Part shall not be construed to require the removal, lowering or other changes or alteration of any structure or tree not conforming to the regulations as of the effective date of this Part, or otherwise to interfere with the continuance of any non-conforming use. Nothing contained in this Part shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this Part, and is diligently prosecuted.
- b) Marking and Lighting
 - 1) Notwithstanding the provisions of subsection (a) of this Section, the owner of any existing non-conforming structure is required to permit the installation, operation and maintenance of such markers and lights as shall be deemed necessary by the Department to indicate to operators of the aircraft in the vicinity of the airport the presence of such airport hazards, all to be performed at the expense of the County of St. Clair and the United States Air Force.
 - 2) In determining the necessity for such markers and lights, the Department shall consider all relevant conditions, including but not limited to, the traffic patterns, volume and type of aircraft at the airport, the general weather patterns in the vicinity, the topography of the airport and the surrounding area, and the height of the structure and its proximity to the approach and transition slopes of the existing runways.

Section 77.60 Permits

- a) Future Uses - Except as specifically provided in subsections (a)(1), (2), and (3) of this Section, no material change shall be made in the use of land and no structure or tree shall be erected, altered, planted, or otherwise established in any surface created unless

DEPARTMENT OF TRANSPORTATION
NOTICE OF ADOPTED RULES

a permit shall have been applied for and granted by the Department. Each application for a permit shall indicate the purpose for which the permit is desired with sufficient particularity to permit to be determined whether the resulting use, structure or tree would conform to the regulations prescribed in this Part. If such determination is in the affirmative, the permit shall be granted.

1) In the area lying within the limits of the horizontal surface and the conical surface, but which is not in violation of height restrictions of primary, transitional and approach surfaces as set forth in this Part, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground or in any approach and transitional surfaces beyond a horizontal distance of 4,200 feet from each end of the runway, except when, because of terrain, land contour or topographic features, such tree or structure would extend above the height limits prescribed for such surface.

2) In the areas lying within the limits of visual, precision instrument and non-precision instrument approach surfaces, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when such tree or structure would extend above the height limit prescribed for such visual, precision instrument and non-precision instrument approach surfaces.

3) In the areas lying within the limits of the transitional surface beyond the perimeter of the horizontal surface, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground except when such tree or structure interferes with terrain, land contour or topographic features, could extend above the height limit prescribed for such transitional surface.

b) Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, alteration or growth of any structure or tree in excess of any of the height limits prescribed by this Part.

Section 77.70 Non-Conforming Structures or Uses or Trees
Abandoned or Destroyed

DEPARTMENT OF TRANSPORTATION
NOTICE OF ADOPTED RULES

Whenever the Department, following a Flight Safety Coordinator's personal inspection, observation and estimation, DETERMINES THAT A NON-CONFORMING STRUCTURE or use OR TREE HAS BEEN ABANDONED OR MORE THAN 80 PER CENT demolished, DESTROYED, physically DETERIORATED, OR DECAYED:

- a) NO PERMIT SHALL BE GRANTED BY THE DEPARTMENT THAT WOULD ALLOW SUCH STRUCTURE or use OR TREE TO EXCEED THE APPLYING HEIGHT LIMIT OR OTHERWISE DEVIATE FROM these ZONING REGULATIONS; AND
- b) WHETHER APPLICATION IS MADE FOR A PERMIT, OR NOT, THE DEPARTMENT MAY issue an order pursuant to subsection (c) of this Section, in cases where the remaining structure or use OR TREE constitutes a violation of this Part, compelling the OWNER OF THE NON - CONFORMING STRUCTURE or use OR TREE, AT HIS OWN EXPENSE, TO LOWER, REMOVE, RECONSTRUCT, OR EQUIP SUCH STRUCTURE or use OR TREE AS MAY BE NECESSARY TO CONFORM TO these zoning REGULATIONS. IF THE OWNER OF THE NON-CONFORMING STRUCTURE or use OR TREE SHALL NEGLECT OR REFUSE TO COMPLY WITH SUCH ORDER within ten DAYS AFTER NOTICE THEREOF, THE DEPARTMENT MAY PROCEED TO HAVE such structure or use OR TREE SO LOWERED, REMOVED, RECONSTRUCTED OR EQUIPPED AND SHALL HAVE A LIEN, ON BEHALF OF THE STATE, UPON THE LAND WHEREON IT IS OR WAS LOCATED, IN THE AMOUNT OF THE COST AND EXPENSE THEREOF. SUCH LIEN MAY BE ENFORCED BY THE DEPARTMENT ON BEHALF OF THE STATE BY suit in equity FOR THE ENFORCEMENT THEREOF AS IN THE CASE OF OTHER LIENS. (Section 23 of the Act)

c) The Department shall issue an order if it is determined that the non-conforming structure or use or tree interferes with traffic patterns at the airport. In making such a determination the Department shall consider factors which include, but are not limited to, the type of aircraft using the airport, and whether or not the airport has precision instrument or instrument runways.

Section 77.80 Variances

- a) General - ANY PERSON wishing to erect or increase the height of ANY STRUCTURE, OR PERMIT ANY GROWTH, OR USE HIS PROPERTY not in accordance with these ZONING REGULATIONS, MAY APPLY TO THE DEPARTMENT FOR A VARIANCE FROM these ZONING REGULATIONS. SUCH VARIANCES SHALL BE ALLOWED WHERE it is found that A LITERAL APPLICATION OR

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

ENFORCEMENT OF these ZONING REGULATIONS WOULD RESULT IN PRACTICAL DIFFICULTY OR UNNECESSARY HARSHNESS AND THE RELIEF GRANTED WOULD NOT BE CONTRARY TO THE PUBLIC INTEREST BUT WOULD DO SUBSTANTIAL JUSTICE AND BE IN ACCORDANCE WITH THE SPIRIT OF these ZONING REGULATIONS. (Section 24 of the Act)

b) Marking and Lighting - Any variance granted by the Department may be so conditioned as to require the owner of such structure or tree to permit, at the expense of the owner, the installation, operation and maintenance of such markers and lights as may be required to indicate to pilots the presence of such structure or tree.

c) In making the determination to allow variances the Department will consider, but is not limited to considering, the proximity of the hazard to the normal flight path, other traffic patterns at the airport, the proximity of other non-conforming uses, structures or objects which would impede the use of the airport, the height of the object, the use of the object at the airport, the type of aircraft using the airport, the type of navigational aids used at the airport, the length and width of existing runways, and plans for future expansion of the airport.

Section 77.90 Notice of Construction or Alteration

a) Construction or Alteration Requiring Notice - The Department shall be notified by each person (sponsor) who proposes any of the following construction or alterations with respect to the surfaces and height limitations established by Section 77.30 with respect to Scott Joint-Use Airport:

- 1) Any construction or alteration of more than 200 feet in height above the ground level at its site.
- 2) Any construction or alteration of greater height than an imaginary surface extending outward and upward at one of the following slopes:
 - A) 100 to 1 for a horizontal distance of 20,000 feet from the nearest point of the nearest runway of the airport, with at least one runway more than 3200 feet in actual length.
 - B) 50 to 1 for a horizontal distance of 10,000 feet from the nearest point of the nearest runway of the airport, with the longest runway not more than 3200 feet in actual length.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

- 3) Any highway, railroad, or other traverse way for mobile objects, of a height which would exceed a standard of subsection (a)(1) or (a)(2) of this Section, if adjusted upward: 17 feet for an Interstate Highway that is part of the National System of Military and Interstate Highways where overcrossings are designed for a minimum of 17 feet vertical distance; 15 feet for any other public roadway; 10 feet or the height of the highest mobile object that would normally traverse the road, whichever is greater, for a private road; 23 feet for a railroad; and for a waterway or any other traverse way not previously mentioned, an amount equal to the highest mobile object that would normally traverse it.
- 4) Any construction or alteration that would exceed a Standard of the Act or this Part.
- b) Construction or Alteration Not Requiring Notice - No person is required to notify the Department for any of the following construction or alterations with respect to Scott Joint-Use Airport:
 - 1) Any antenna structure of 20 feet or less in height except one that would increase the height of another antenna structure.
 - 2) Any air navigation facility, airport visual approach or landing aid, aircraft arresting device, or meteorological device less than 50 feet in height.
 - 3) Any object that would be shielded by permanent and substantial existing structures of equal or greater height or by natural terrain or topographic features of equal or greater height, and would be located in the congested area of a city, town, or settlement where it is evident beyond all reasonable doubt that the structure so shielded will not obstruct or interfere with aircraft using the airport, or cause any additional adverse effect on airport operations by considering the height and location of the existing uses and structures.
- c) Form and Time of Notice
 - 1) Each person who is required to notify the Department under subsection (a) of this Section shall forward one executed form set (in four copies) of the Department's Form No. DA-39 (for an example, see Exhibit A of this Part) to the Division of Aeronautics, One Langhorne Bond

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

Drive/Capital Airport, Springfield, Illinois 62707-8415. Copies of this form may be obtained from the Department.

- 2) Such notice must be submitted at least 30 days before the date the proposed construction or alteration is to begin.
- 3) In the case of an emergency involving essential public services, public health, or public safety, that requires immediate construction or alteration, the 30-day requirement in subsection (c)(2) of this Section does not apply and the notice may be sent by telephone, teletype, or other expeditious means, with an executed Department Form No. DA-39 submitted within five days. For example, an emergency could include breaks in sewer lines, gas mains or power lines.

d) Acknowledgment of Notice

- 1) The Department will acknowledge in writing the receipt of such notice submitted under subsection (a) of this Section within 30 days after receipt of such notice.

- 2) The acknowledgment will state that a study of the proposed construction or alteration has resulted in a determination that the construction or alteration:

- A) would, under federal rules, require lighting or marking standards as prescribed in Advisory Circular, Federal Aviation Administration (FAA), Subject: Obstruction, Marking and Lighting, AC No. 70/7460-1, as provided in 14 CFR 77.11 (b)(3), January 1, 1990, not including any later amendment or editions; and information on how the structure should be marked and lighted in accordance with such FAA standards; and/or
- B) would not exceed any standard of the Act or this Part; or
- C) would exceed a standard of the Act, Aviation Safety Rules (92 Ill. Adm. Code 14), or this Part; or
- D) would require supplemental information from the sponsor in order for a determination to be made by the Department.

Section 77.100 Enforcement

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

It shall be the duty of the Department to administer and enforce this Part. Applications for permits or variances, required by this Part, to be submitted to the Department, shall be on forms furnished by the Department and shall be promptly considered and granted or denied.

Section 77.110 Appeal and Judicial Review

- a) APPEAL - ANY PERSON AGGRIEVED BY ANY DECISION OF THE DEPARTMENT MADE IN ADMINISTRATION OF THIS PART MAY APPLY TO THE DEPARTMENT TO REVERSE, WHOLLY OR PARTIALLY, OR MODIFY, OR OTHERWISE CHANGE, ABROGATE OR RESCIND ANY SUCH DECISION. THE PROCEDURE DESCRIBED BY THE ACT FOR PROCEEDINGS BEFORE BOARD OF APPEAL SHALL GOVERN SUCH APPLICATION TO THE DEPARTMENT. (Section 29 of the Act)
- b) JUDICIAL REVIEW - Any person aggrieved or any taxpayer affected by any decision of the Department may appeal to the Circuit Court of St. Clair County, Illinois, or Circuit Court of any county in which the airport hazard is wholly or partly located, in accordance with the provisions of the Administrative Review Law (Ill. Rev. Stat., 1991, ch. 110, pars. 3-101 et seq.) [735 ILCS 5/3-101 et seq.].

Section 77.120 Penalties

Each violation of this Part or of ANY REGULATIONS, ORDERS, OR RULINGS promulgated hereunder shall constitute an airport hazard and a PUNY OFFENSE, and such hazard shall be removed by proper remedial action and a PUNY PENALTY. A VIOLATION OF THIS PART SHALL CONSTITUTE A SEPARATE OFFENSE. IN ADDITION, THE DEPARTMENT MAY INSTITUTE IN THE CIRCUIT COURT OF ST. CLAIR COUNTY, ILLINOIS, OR CIRCUIT COURT OF ANY COUNTY IN WHICH THE AIRPORT HAZARD IS WHOLLY OR PARTIALLY LOCATED, AN ACTION TO PREVENT AND RESTRAIN, CORRECT OR ABATE, ANY VIOLATION OF THESE ZONING REGULATIONS, OR OF ANY REGULATION, ORDER OR RULING MADE IN CONNECTION WITH THEIR ADMINISTRATION OR ENFORCEMENT, AND THE COURT SHALL ADJUDGE SUCH RELIEF BY WAY OF INJUNCTION (WHICH MAY BE MANDATORY) OR OTHERWISE, AS MAY BE PROPER UNDER ALL THE FACTS AND CIRCUMSTANCES OF THE CASE, IN ORDER FULLY TO EFFECTUATE THE PURPOSES OF these zoning REGULATIONS as ADOPTED AND ORDERS AND RULINGS MADE PURSUANT THERETO. (Section 34 of the Act)

Section 77.130 Conflicting Regulations

Where a conflict exists between this Part and any other regulations or ordinances applicable to the same area, whether the conflict be with respect to the height of structures or

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

trees, the use of land, or any other matter, the more stringent regulation or ordinance shall govern and prevail.

Section 77.140 Severability

If any of the provisions of this Part of the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Part which can be given effect without the invalid provision or application, and to this end, the provisions of this Part are declared to be severable.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

Section 77.Exhibit A Proposed Construction Permit Request

ILLINOIS DEPARTMENT OF TRANSPORTATION
Division of Aeronautics

Name of Individual or Company

Making Request

Address

Street

City

State

Zip

Phone

Nature and Description of Proposed Structure:

New Construction

Alteration

Nearest Town:

Location from Nearest Town

Direction

Distance

Nearest Airport:

From Nearest Point

to a Runway

Direction

Distance

Latitude

Longitude

0 1 " " " " " "

Proposed Heights and Elevations

Site Elevation (Mean Sea Level)

Highest Point of Structure Above Ground

Overall Height above Mean Sea Level

Estimated Construction Starting Date

Estimated Construction Completion Date

Type of Structure:

Permanent

Temporary

Will Structure be Obstruction Lighted: Yes No

Will Structure be Obstruction Marked: Yes No

Remarks:

Date:

Title or Position:

Signature

The Illinois Department of Transportation is requesting disclosure of information that is necessary to accomplish the statutory purpose as outlined under Section 1 of the Airport Zoning Act (Ill. Rev. Stat. 1991, ch. 15 1/2, par. 48.1). Disclosure of this information is REQUIRED. Failure to provide any information will result in denial of the construction permit. This form has been approved by the Forms Management Center.

DA-39 (Rev. 1-87) IL 494-0765

TREASURER

TREASURER

NOTICE OF ADOPTED REPEALER

NOTICE OF ADOPTED REPEALER

- 1) **Heading of Part:** Home Ownership Made Easy Act
- 2) **Code Citation:** 74 Ill. Adm. Code 750
- 3)

Section Number	Adopted Action
750.10	Repealed
750.20	Repealed
750.30	Repealed
750.40	Repealed
750.41	Repealed
750.50	Repealed
750.60	Repealed
750.70	Repealed
750.80	Repealed
750.90	Repealed
750.100	Repealed
750.120	Repealed
750.130	Repealed
750.140	Repealed
750-Appendix A	Repealed
750-Appendix B	Repealed
750-Appendix C	Repealed
- 4) **Statutory Authority:** Ill. Rev. Stat. 1991, ch. 67 1/2, par. 1101, et seq. (310 ILCS 55)
- 5) **Effective Date of Amendments:** June 8, 1993
- 6) **Does this rulemaking contain an automatic repeal?** NO
- 7) **Does this rulemaking contain incorporations by reference?** NO
- 8) **Date filed in Agency's Principal Office:** June 8, 1993
- 9) **Notice of Proposal Published in Illinois Register:** 17 Ill. Reg. 762 (1/22/93)
- 10) **Has JCAR issued a Statement of Objection to this rule?** NO
- 11) **Difference between proposal and final version:** NONE
- 12) **Have all changes agreed upon by the agency and JCAR been made as indicated?** NO
CHANGES REQUESTED
- 13) **Will this amendment replace an emergency rule currently in effect?** NO
- 14) **Are there any other amendments pending on this part?** YES: a replacement of the repealed part was submitted at the same time as the repealer.

15) **Summary and Purpose of the rule:** This repealer, together with the accompanying new rule, are necessary to implement statutory changes to the HOME Program which placed administration of the HOME program with participating Illinois financial institutions on a voluntary basis. The HOME Program is designed to promote saving for a home by Illinois residents.

16) **Questions about this adopted rule may be addressed to:**

Matt Beal
Office of the State Treasurer
100 West Randolph, Suite 15-600
Chicago, IL 60601
(312) 814-2976

TREASURER

NOTICE OF ADOPTED RULES

- 1) **Heading of Part:** Home Ownership Made Easy Act
- 2) **Code Citation:** 74 Ill. Adm. Code 750
- 3) **Section Number**

750.10	Adopted Action
750.20	New Section
750.30	New Section
750.40	New Section
750.50	New Section
750.60	New Section
750.70	New Section
750.80	New Section
750.90	New Section
750.100	New Section
750.110	New Section
750.120	New Section
750.130	New Section
750.140	New Section
750.150	New Section
750-Appendix A	New Section
750-Appendix B	New Section
750-Appendix C	New Section
750-Appendix D	New Section
- 4) **Statutory Authority:** Ill. Rev. Stat. 1991, ch. 67 1/2, par. 1101, et seq. [310 ILCS 55]
- 5) **Effective Date of Amendments:** June 8, 1993
- 6) **Does this rulemaking contain an automatic repeal?** NO
- 7) **Does this rulemaking contain incorporations by reference?** NO
- 8) **Date filed in Agency's Principal Office:** June 8, 1993
- 9) **Notice of Proposal Published in Illinois Register:** 17 Ill. Reg. 777 (1/22/93)
- 10) **Has JCAR issued a Statement of Objection to this rule?** NO
- 11) **Difference between proposal and final version:** The following changes were made on Second Notice pursuant to discussions with JCAR staff:
 - (A) Section 750.40(d), as originally proposed read as follows:
 - d) The Treasurer shall, from time to time, evaluate Program Depositories in order to insure that the goals of the H.O.M.E. Program are being furthered efficiently and to the fullest extent possible. The Treasurer may, in his discretion, withdraw certification from any Program Depository on 30 days

TREASURER

NOTICE OF ADOPTED RULES

notice.

On Second Notice the second sentence was amended as follows:

The Treasurer may, in his discretion, shall withdraw certification from any Program Depository on 30 days notice if such Program Depository (i) violates this Part or (ii) is determined by a court of competent jurisdiction to have violated any fair housing laws.

(B) Section 750.50(a)(2), as originally proposed read as follows:

- 2) Each Program Depository will determine the type or types of savings vehicles which will be offered to Program Participants. A representative of the Program Depository will present the investment option or options available at that Program Depository to the Participant, who shall then make an initial deposit. The investment account must be specifically designated as a H.O.M.E. account and must be insured in one of the following: the Federal Deposit Insurance Corporation, the National Credit Union Association, or the Securities Investors Protection Corporation.

On Second Notice the section was amended as follows:

- 2) Each Program Depository will determine the type or types of savings vehicles investment options which will be offered to Program Participants. Permissible investments include, but are not limited to, statement savings accounts, passbook savings accounts, certificates of deposit, and securities accounts. A representative of the Program Depository will present the investment option or options available at that Program Depository to the Participant, who shall then make an initial deposit. The investment account must be specifically designated as a H.O.M.E. account and must be insured in one of the following: the Federal Deposit Insurance Corporation, the National Credit Union Association, or the Securities Investors Protection Corporation.

(C) Section 750.80(b) as originally proposed read as follows:

- b) New H.O.M.E. Program: Program Participants with accounts at certified Program Depositories will receive reports of interest or dividends earned according to rules adopted by the Program Depositories individually, pursuant to applicable federal and state law.

On Second Notice the section was amended to read as follows:

- b) New H.O.M.E. Program: Program Participants with accounts at certified Program Depositories will receive reports of interest or dividends earned according to rules adopted by the Program Depositories individually, pursuant to applicable federal and state law.

TREASURER

NOTICE OF ADOPTED RULES

Pursuant to an agreement JC&R and the Treasurer also agreed to the following change following second notice:

"1. To add new investment options to Section 750.50(a)(2) as they are developed or needed."

Finally, several formatting and indenting changes were made during the Second Notice period.

12) Have all changes agreed upon by the agency and JC&R been made as indicated? YES

13) Will this amendment replace an emergency rule currently in effect? NO

14) Are there any other amendments pending on this part? YES - a repeal of the existing part was submitted at the same time as the new rule.

15) Summary and Purpose of the rule: This new rulemaking replaces a repealed part on the same subject. The new rule was necessary to implement statutory changes to the HOME Program which placed administration of the program with participating Illinois financial institutions on a voluntary basis. The HOME Program is designed to promote saving for a home by Illinois residents.

16) Questions about this adopted rule may be addressed to:

Matt Berns
Office of the State Treasurer
100 West Randolph, Suite 15-600
Chicago, IL 60601
(312) 814-2976

The full text of the adopted part begins on the next page:

TREASURER

NOTICE OF ADOPTED RULES

TITLE 74: PUBLIC FINANCE
CHAPTER V: TREASURER
PART 750:
HOME OWNERSHIP MADE EASY ACT

Section

Definitions

750.10 Treasurer's Authority to Make and Continue Contracts and Agreements
750.20 Eligibility for the Program
750.30 Certification of Program Depositories
750.40 Enrollment Procedures
750.50 Saver Deposit/Withdrawal Options
750.60 Participant Statements
750.70 Tax Reporting
750.80 Transfer Requests
750.90 Termination Requests
750.100 Treasurer's Certification of H.O.M.E. Participants
750.110 Benefits of Program Certification
750.120 Illinois Housing Development Authority Mortgage Priority
750.130 Program Depository Requirements
750.140 Payment of Expenses
750.150

APPENDIX A Certification Notice Form

APPENDIX B Certification Instruction Form

APPENDIX C Account Enrollment Form

APPENDIX D Account Report Form

AUTHORITY: Implementing and authorized by the Home Ownership Made Easy Act of 1989 (111. Rev. Stat. 1991, ch. 67 1/2, pars. 1101 et seq., as amended by Public Act 87-1206, effective September 25, 1992) [310 ILCS 55, as amended by Public Act 87-1206, effective September 25, 1992].

SOURCE: Adopted at 15 111. Reg. 14121, effective September 17, 1991; amended 16 111. Reg. 203, effective December 18, 1991; amended at 16 111. Reg. 1735, effective October 28, 1992; old Part 750 repealed, new Part adopted at 17 111. Reg. 3081, effective June 8, 1993.

Section 750.10 Definitions

The following definitions shall apply to this Part:

"Account Enrollment Form" A form, substantially similar to Appendix C of this Part, which will be filed by a Program Depository upon enrolling a Participant.

"Account Report Form" A form, substantially similar to Appendix D of this Part.

"Administering Financial Institution" The financial institution designated by the Treasurer to manage the H.O.M.E. fund for

TREASURER

NOTICE OF ADOPTED RULES

investments of Participants enrolled prior to the effective date of this Part.

"Certification Instruction Form" A form, substantially similar to Appendix B of this Part, which will accompany the Certification Notice Form.

"Certification Notice Form" A form, substantially similar to Appendix A of this Part.

"Effective Date" The effective date of P.A. 87-1206, H.B. 4119, the 1992 amendment to the Home Ownership Made Easy Act, which is September 25, 1992.

"Employer Direct-Deposit Program" A program administered by a Participant's employer and program depository to make a direct deposit of some portion of the Participant's paycheck into a H.O.M.E. account.

"Matching Deposit Program" A program by which a Participant's employer will match deposits made to a H.O.M.E. account according to a schedule determined by such employers individually.

"Notice Date" A date within 10 months of the Effective Date on which the Treasurer will notify Program Participants who enrolled prior to the Effective Date that such Participants must transfer their deposits to a certified Program Depository.

"Passbook Savings Account" An account at a certified Program Depository which utilizes a passbook retained by the Participant.

"Program Depositories" The financial institutions certified by the Treasurer which will market and administer the H.O.M.E. Program after the Effective Date.

"Qualifying Balance for transfer tax return eligibility" That portion of the purchase price of a home for which a certified H.O.M.E. Participant is exempt from paying the State real estate transfer tax.

Section 750.20 Treasurer's Authority to Make and Continue Contracts and Agreements

To provide for administration of the Home Ownership Made Easy Act of 1989, as amended ("H.O.M.E." or the "Program"), the Treasurer may enter into such contracts as may be necessary:

- a) When it is more cost efficient;
- b) Services are not provided by other State agencies;
- c) It results in lower costs or higher effectiveness or quality of

TREASURER

* NOTICE OF ADOPTED RULES

- b) Such contracts include, but are not limited to, contracts for the administration and distribution of investment options by third parties and for investment advisory and transfer agency services to be performed by third parties.

- c) The current Administering Financial Institution may continue to manage investments in the H.O.M.E. Fund of Participants with deposits in the Administering Financial Institution until all such Participants have received refunds of such deposits.

Section 750.30 Eligibility for the Program

The Program is available to any person, age 18 or older, who does not, as a sole owner, tenant in common or joint tenant with a right of survivorship, hold a fee simple absolute or any other ownership interest in residential real estate upon application for, and participation in, the Program.

Section 750.40 Certification of Program Depositories

- a) The following are eligible to apply for certification as a Program Depository:

- 1) Any federally chartered commercial bank or savings and loan association organized and operating in this State pursuant to the laws of the United States;
- 2) Any bank subject to the Illinois Banking Act (Ill. Rev. Stat. 1991, Ch. 127, pars. 301 et seq.) [205 ILCS 51];
- 3) Any savings association subject to the Illinois Savings and Loan Act of 1985 (Ill. Rev. Stat. 1991, Ch. 17, pars. 3301-1 et seq.) [205 ILCS 105];
- 4) Any credit union subject to the Illinois Credit Union Act (Ill. Rev. Stat. 1991, Ch. 17, pars. 4401 et seq.) [205 ILCS 325];
- 5) Any broker or dealer registered under the Securities Exchange Act of 1934 (15 U.S.C. 789 et seq.);
- 6) Any dealer registered under the Illinois Securities Law of 1953 (Ill. Rev. Stat. 1991, Ch. 121 1/2, pars. 137.1 et seq.) [815 ILCS 5].

- b) Applications for certification as a Program Depository shall be evaluated according to the following criteria:

- 1) A commitment to making home ownership a reality for a broad base of Illinois residents;
- 2) Current and/or past participation in the Treasurer's other programs;
- 3) Ability to comply with the reporting and other requirements of the H.O.M.E. Act and this Part.
- c) Applications shall be by letter from the financial institution to the Treasurer, describing how the financial institution meets the criteria for participation.
- d) The Treasurer shall, from time to time, evaluate Program Depositories in order to insure that the goals of the H.O.M.E. Program are being

NOTICE OF ADOPTED RULES

furthered efficiently and to the fullest extent possible. The Treasurer shall withdraw certification from any Program Depository on 30 days notice if such Program Depository:

- (1) violates this Part, or
- (2) is determined by a court of competent jurisdiction to have violated any fair housing laws.

Section 750.50 Enrollment Procedures

- a) New H.O.M.E. Program: After the Effective Date, new Participants may enroll in the Program as follows:
 - 1) Participants shall select an Illinois financial institution which is a certified Program Depository by the Treasurer. A list of financial institutions so certified is available from the H.O.M.E. office, or by calling 1-800-635-3164.
 - 2) Each Program Depository will determine the type or types of investment options which will be offered to prospective Participants. Permissible investments include, but are not limited to, statement savings accounts, passbook savings accounts, certificates of deposit, and securities accounts. A representative of the program Depository will present the investment option or options available at that Program Depository to the Participant, who shall then make an initial deposit. The investment account must be specifically designated as a H.O.M.E. account and must be insured in one of the following: the Federal Deposit Insurance Corporation, the National Credit Union Association, or the Securities Investors Protection Corporation.
 - 3) Where the selection for the investment option is a Passbook Savings Account, the initial deposit amount shall be no less than \$100. A Program Depository need not offer a Passbook Savings Account as an investment option. The Program Depository may determine the minimum deposit for alternative investment options. Subsequent deposits may be made in any amount subject to the requirements of the Program Depository.
- b) Old H.O.M.E. Program: Participants with deposits in the Administering Financial Institution may continue to participate in the Program after the Effective Date by selecting a Program Depository and depositing their H.O.M.E. savings to a certified Program Depository no later than 30 days after the Notice Date.
- c) Old H.O.M.E. Program: If a Participant with deposits in the Administering Financial Institution does not, before 30 days after the Notice Date, select and deposit such Participant's refund to a certified Program Depository, the Treasurer will direct the Administering Financial Institution to refund such Participant's deposits with a notice stating that the deposit amount must be reinvested in a certified Program Depository within 30 days in order to maintain the Participant's eligibility for Program benefits.
- d) Old H.O.M.E. Program: If the Administering Financial Institution is unable to refund the deposits of any Participant, the Treasurer will

NOTICE OF ADOPTED RULES

direct the Administering Financial Institution to transfer such deposits to a certified Program Depository designated by the Treasurer in the name of the Participant.

Section 750.60 Saver Deposit/Withdrawal Options

- a) Old H.O.M.E. Program: Participants with deposits in the Administering Financial Institution who have not transferred their deposits to a certified Program Depository may make deposits as follows:
 - 1) Pre-authorized withdrawals from saver's checking account on a monthly basis in the amount of \$50 or more, provided such authorization was provided before the Notice Date.
 - 2) Coupon remittances to be used either monthly, quarterly or semi-annually to accompany checks or money orders in the amount of \$50 or more. The saver will be provided with deposit coupons.
- b) New H.O.M.E. Program: All Participants holding accounts with Program Depositories shall make deposits and withdrawals according to rules determined by the Program Depositories individually. Deposit arrangements may include Employer Direct-deposit and Matching Deposit Programs.

Section 750.70 Participant Statements

- a) Old H.O.M.E. Program: Participants with deposits in the Administering Financial Institution who have not transferred their deposits to a certified Program Depository shall receive statements as follows:
 - 1) Each such Participant will receive a monthly statement from the H.O.M.E. Fund showing the beginning balance, deposits, and withdrawals during the month, dividends paid, yield on Participant's fund for period and ending balance, paid, yield on the back of the statement will have a section to be used for address changes, name changes and withdrawal and termination requests.
 - 2) New H.O.M.E. Program: Participants with accounts at certified Program Depositories shall receive statements from the Program Depository holding such Participant's account according to rules determined by the Program Depositories individually, provided such statements will issue annually at the minimum.
- b) New H.O.M.E. Program: Program Participants with accounts at certified Program Depositories will receive reports of interest or dividends earned according to rules adopted by the Program Depositories individually.

Section 750.80 Tax Reporting

- a) Old H.O.M.E. Program: For Program Participants with deposits in the Administering Financial Institution, a report of dividends earned for tax reporting purposes will be mailed within thirty-one (31) days after the end of each calendar year.
- b) New H.O.M.E. Program: Program Participants with accounts at certified Program Depositories will receive reports of interest or dividends earned according to rules adopted by the Program Depositories individually.

TREASURER

NOTICE OF ADOPTED RULES

Section 750.90 Transfer Requests

- a) At any time, a Program Participant may transfer a H.O.M.E. account into another designated H.O.M.E. investment option at the same certified Program Depository without having to notify the Treasurer's office.
- b) At any time, a Program Participant may transfer a H.O.M.E. account into another certified Program Depository by filing an Account Report form, checking the box designated "Transfer." For the purpose of determining Program benefits, participation will relate back to the initial enrollment date, provided the proceeds are directly deposited from the original certified Program Depository to the newly selected certified Program Depository. Such Participants should check the box designated "Transferred Account" on the Account Enrollment Form filed with the "Transferee Program Depository."

Section 750.100 Termination Requests

- a) Old H.O.M.E. Program: Program Participants with deposits in the Administering Financial Institution who have not transferred their accounts to a Program Depository may terminate participation by submitting a request to close their accounts, using the termination request form printed on the back of each monthly statement. If such a Program Participant requests that the proceeds of his account be wired to an account at a financial institution, a wire charge of \$18 will be assessed. The wire charge will be deducted from the Participant's account balance and the net proceeds wired accordingly. The wire charge will be shown separately from the termination on the Participant's final account statement.
- b) Participating Program: Program Participants with accounts at a certified Program Depository may terminate participation by notifying their Program Depository according to rules determined by the individual Program Depositories. Such Participants should designate their intention either to terminate participation in the program or to transfer to another Program Depository on the Account Report form.
- c) A terminating Participant may, within 60 days after submitting a termination request, reinvest such Participant's proceeds in a certified Program Depository. Such Participants should check the box designated "Transferee's Account" on the Account Enrollment Form filed with the "Transferee's Program Depository." For the purpose of determining Program benefits, participation will relate back to the initial enrollment date.

Section 750.110 Treasurer's Certification of H.O.M.E. Participants

- a) Old H.O.M.E. Program: For terminating program Participants with deposits in the Administering Financial Institution who have not transferred their accounts to a Program Depository, the Treasurer shall provide a final account statement and a formal notice of

TREASURER

NOTICE OF ADOPTED RULES

certification if such Participant has adhered to the Program rules.

- 1) Such Program Participants qualify for certification if they participate in the program for three twelve (12) month periods or more and at least two deposits are made in each twelve (12) month period.

- 2) For such Program Participants, a Qualifying Balance for transfer tax return eligibility shall be calculated at 20 times the Participant's final account balance, provided, however, that for accounts where more than fifty percent (50%) of the Program account balance at the time of termination is due to contributions made during the last twelve (12) month period, the Qualifying Balance will be calculated at forty (40) times the ending balance at the beginning of the last twelve (12) month period.
- b) New H.O.M.E. Program: For terminating Participants with accounts at an Certified Program Depositories, the Program Depository shall transmit an Account Report form to the Treasurer. Such form will specify the ending date of participation; income earned on the account to date for the current calendar year; and the ending deposit balance upon termination. The Treasurer will provide a formal notice of certification on the Certification Notice form if such Participant has adhered to the Program rules.

- 1) Such program Participants qualify for certification if they deposit moneys for a period of at least two years in a chosen investment vehicle specifically designated as a H.O.M.E. account according to the Program Depository's requirements.

- 2) For such Program Participants, a Qualifying Balance for transfer tax return eligibility shall be calculated at 20 times the Participant's final account balance.

- c) For all terminating Program Participants eligible for certification:
 - 1) The Program Participant shall be notified of the amount of a home's purchase price on which the tax imposed under the Real Estate Transfer Tax Act (111. Rev. Stat. 1991, ch. 120, pars. 1001 et seq.) [35 ILCS 305] will be waived for such Participant by the Illinois Department of Revenue on the Certification Notice form.

- 2) The certification shall have an initial term of six (6) months. Certification may be renewed for an additional six (6) months. Such renewal requests can be made by written request to the Treasurer before the expiration of the initial 6 month period.

- 3) The certification shall be accompanied by instructions on how to file for waiver of the real estate transfer tax with the Illinois Department of Revenue, and the County Treasurer (if appropriate). The Treasurer shall provide copies of all certifications to the Illinois Department of Revenue, the Illinois Housing Development Authority, and the County Treasurer (if appropriate), upon request.

Section 750.120 Benefits of Program Certification

TREASURER

NOTICE OF ADOPTED RULES

Program Participants shall receive the following benefits upon certification, provided such Participants acquire an ownership interest in residential real estate prior to expiration of certification:

- a) exemption from paying the State Real Estate Transfer tax, to the extent specified in the Certification Notice, where it is the contractual responsibility of the Participant to purchase the transfer tax stamps;
- b) priority position for making applications for mortgages in the Illinois Housing Development Authority's Single Family Mortgage Purchase Program;
- c) priority over persons who are not so certified in the Treasurer's housing programs;
- d) All income earned on H.O.M.E. investments during participation in the program may be subtracted in computing the Participant's Illinois base income for the year in which the Participant acquires his or her interest in residential real estate under the Illinois Income Tax Act.

Section 750.130 Illinois Housing Development Authority Mortgage Priority

Upon request of the Participant, the Treasurer shall certify to the Director of the Illinois Housing Development Authority that the Program Participant has satisfied all requirements under Section 750.110 of this Part to become eligible for priority consideration under the Authority's Single Family Mortgage Purchase Program. The Treasurer does not participate in the review or approval of Illinois Housing Development Authority applications.

- a) Certified Program Participants shall have priority over persons who are not so certified for making applications for mortgages in the Illinois Housing Development Authority's Single Family Mortgage Purchase Program.
- b) To qualify for mortgage priority, Program Participants must meet all applicable requirements of the Illinois Housing Development Authority's Single Family Mortgage Purchase Program, as set forth in 47 Ill. Adm. Code 250, as amended and supplemented, or any other rules that the Illinois Housing Development Authority may promulgate in connection with the Single Family Mortgage Purchase Program and Section 143 of the Internal Revenue Code of 1986 and the regulations promulgated thereunder, both as they may be amended and supplemented.
- c) Program Participants must present the Treasurer's certification with their application for an Illinois Housing Development Authority mortgage.

Section 750.140 Program Depository Requirements

All Program Depositories will agree to abide by the following:

- a) Upon enrollment of a Program Participant, the enrolling Program Depository will forward a copy of the Account Enrollment form (see Appendix D of this Part) to the Treasurer's office.
- b) All H.O.M.E. accounts will be designated such upon enrollment and will be identifiable as such by account number and Social Security

TREASURER

NOTICE OF ADOPTED RULES

number:

- c) Program Depositories will maintain a record of total income earned for each H.O.M.E. account;
- d) Program Depositories shall compile annual reports regarding H.O.M.E. accounts administered, including ending balance, annual income, and addresses for each account, and forward these reports to the Treasurer's office. Said reports may be on computer printouts or in such format as certified program Depositories normally utilize in maintaining their business records.
- e) Program Depositories will forward to the Treasurer's office an Account Report (see Appendix D of this Part) upon termination or transfer of any Participant;
- f) Program Depositories shall make reasonable efforts to market the H.O.M.E. program and apprise the Treasurer's office of the means and the media markets used to market the Program.

Section 750.150 Payment of Expenses

Old H.O.M.E. Program: For the Participants with deposits in the Administering Financial Institution who have not transferred their deposits to certified Program Depositories, expenses of administering the Program, which include, but are not limited to, administration, account processing, marketing, and management of the H.O.M.E. Fund, shall be paid from the earnings of the H.O.M.E. Fund.

NOTICE OF ADOPTED RULES

NOTICE OF ADOPTED RULES

Section 750-Appendix A Certification Notice Form

Witness

date

CERTIFICATION NOTICE

The individual(s) names below have met the requirements established for the H.O.M.E. program and are hereby given certification status. The certification entitles the H.O.M.E. Saver(s) to the benefits of the program as defined in its rules.

Name(s) _____
Address _____
Account # _____

Transfer Tax Credit Up To _____
Total income earned on H.O.M.E. investments during participation in the program may be subtracted in computing the Participant's Illinois base income for the year in which the Participant acquires his or her interest in residential real estate under the Illinois Income Tax Act.

Total income earned _____

Treasurer's Office

Date of Issuance: _____
Expiration Date: _____

This certificate expires in six (6) months. To renew the certificate, call the H.O.M.E. office at 1-800-535-1164. You may renew the certificate once, for an additional six (6) months.

To receive an exemption from the Real Estate Transfer tax for your home purchase, have the seller(s) of the home you purchased and a witness who is not a party of the real estate transaction sign this certification.

NOTE: A H.O.M.E. saver is only eligible for waiver of the Real Estate Transfer Tax where the H.O.M.E. saver, as buyer, has taken the contractual responsibility of paying such transfer tax.

We/I hereby certify that the buyer is contractually responsible for payment of the Real Estate Transfer Tax as part of the sale of this property, as shown on the statement of closing proceeds and that we/I are the parties/witness to this transaction.

H.O.M.E. Saver(s)	date	Seller(s)	date
H.O.M.E. Saver(s)	date	Seller(s)	date

NOTICE OF ADOPTED RULES

Section 750 Appendix B Certification Instruction Form

INSTRUCTIONS FOR USING YOUR H.O.M.E. CERTIFICATION
FOR REAL ESTATE TRANSFER PAYMENT

NOTE: By law, a H.O.M.E. Saver may only be exempted from paying the Real Estate Transfer Tax if and when it is the buyer's contractual responsibility to purchase the transfer tax stamps. You must keep this in mind when negotiating for the purchase of your new home and the sales contract must specify that the buyer will be responsible for paying the transfer tax.

1. Take the H.O.M.E. certificate with you to your closing.
2. As part of the closing process, have the seller(s) sign and date the back of the form. Sign the certificate yourself. Have a witness who is not a party to the real estate transaction sign and date the back of the form.
3. Attach the certificate to a copy of the final closing statement.
4. Keep a copy of all documents for your records.
5. At the time of recording the sale, present to the recorder (in addition to all other documents necessary for recording the sale): a deed or trust document, or the real estate sales contract with attached contract rider specifying that the buyer is contractually responsible for paying the Real Estate Transfer tax.

FOR IHDA MORTGAGES

1. Call the IHDA office at 1-800-942-8439 and ask for the latest mortgage program and eligibility requirements.
2. Read the requirements carefully.
3. Ask for your new home.
4. When you certified H.O.M.E. program participants, tell them you are certified H.O.M.E. program participants.
5. Be prepared to file a copy of your H.O.M.E. certificate with the IHDA application. Be sure to keep a copy for your records. You will need it to obtain exemption from the real estate transfer tax after you close (see above).

NOTICE OF ADOPTED RULES

Section 750 Appendix C Account Enrollment Form

ACCOUNT ENROLLMENT FORM

Owner's Name (First, Initial, Last)

Owner's Social Security Number

Date of Birth

Street or P.O. Box Number

Phone

City

State

Zip

Joint Owner's Name (First, Initial, Last)

Joint Owner's Social Security Number

Date of Birth

Street or P.O. Box Number

Phone

City

State

Zip

Date of Enrollment:

Initial Account Balance:

Check one: ☐ New H.O.M.E. Saver☐ Transferred account☐ Transfer from H.O.M.E. Fund

Investment type:

Deposit method:

Program Depository Name:

I/We hereby authorize the Program Depository to disclose to the Treasurer's office such information as is necessary for verification of Program participation.

Signature

Signature

TREASURER

TREASURER

NOTICE OF ADOPTED RULES

NOTICE OF ADOPTED RULES

Section 750 Appendix D Account Report Form

ACCOUNT REPORT FORM

By: _____

Title: _____

Date: _____

Owner's Name (First, Initial, Last) _____

Owner's Social Security Number _____ Phone _____

Street or P.O. Box Number _____

City _____ State _____ Zip _____

Joint Owner's Name (First, Initial, Last) _____

Joint Owner's Social Security Number _____ Phone _____

Street or P.O. Box Number _____

City _____ State _____ Zip _____

Program Depository Name _____

Account # at Depositor _____

Program Depository _____

Select one: Termination _____ Transfer _____

I/We hereby request that _____
funds held pursuant to the H.O.W.F. program. I/We understand that such funds
must be redeposited within 60 days of this request at the certified program
depository in order to retain program benefits dating from the original
enrollment date of this account. I/We hereby authorize the Program Depository
to disclose to the Treasurer's office such information as is necessary for
verification of program participation.

Signature _____

FINAL REPORT

Date: _____

Program Depository Name: _____

Account # at Program Depository: _____

Ending date: _____

Ending balance: _____

Total income earned to date for current

calendar year: _____

Participant designates transaction as:

Termination _____ Transfer _____

The undersigned Institution hereby certifies that the Program Participant has

adhered to the Program requirements.

Program Depository

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF EMERGENCY AMENDMENT

- 1) **Heading of the Part:** Use of Radionuclides in the Healing Arts
- 2) **Code Citation:** 32 Ill. Adm. Code 335
- 3) **Section Number:**
335.3010
335.4010
Emergency Action:
Amendment
Amendment
- 4) **Statutory Authority:** Implementing and authorized by the Radiation Protection Act of 1990 (111. Rev. Stat. 1991, ch. 111, pars. 210-1 et seq.) (420 ILCS 40/11).
- 5) **Effective Date of Emergency Amendment:** June 8, 1993
- 6) **If this emergency amendment is to expire before the end of the 150 day period, please specify the date on which it is to expire:** N/A
- 7) **Date filed in Agency's Principal Office:** June 8, 1993

8) **Reason for Emergency:** The Department is promulgating this Emergency Amendment to allow medical licensees to use radioactive biological products in the performance of medical diagnostic studies, provided that these pharmaceuticals have been approved by the U.S. Food and Drug Administration. The Department has recently learned that the U.S. Food and Drug Administration (FDA) has approved radioactive biological products that can be used in the diagnosis of some cancers. However, because the approval issued by the FDA for these pharmaceuticals is not one of the two types of approval currently listed in Sections 335.3010 and 335.4010, the Department's rules do not permit these pharmaceuticals to be used.

The Department is changing the rules in order to permit the diagnostic use of these drugs immediately. If the Department were not to change the rule immediately, use of certain pharmaceuticals to diagnose some cancers would be prohibited. Such a prohibition would result in delayed diagnosis or even failure to diagnose cancers. That situation would be a threat to the public interest, safety and welfare of the citizens of the State of Illinois. The Department anticipates proposing a general rulemaking within 60 days.

- 9) **A complete Description of the Subjects and Issue Involved:** The Department is modifying Section 335.3010, "Use of Radiopharmaceuticals for Uptake, Dilution, or Excretion Studies" and Section 335.4010, "Use of Radiopharmaceuticals, Generators and Reagent Kits for Imaging and Localization Studies." Prior to this rulemaking, these rules allowed diagnostic radiopharmaceuticals to be used only if the drugs had been

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF EMERGENCY AMENDMENT

- 10) **Are there any proposed amendments to this Part pending?** No
- 11) **Statement of Statewide Policy Objectives:** The requirements imposed by the proposed rulemaking are not expected to require local governments to establish, expand, or modify their activities in such a way as to necessitate additional expenditures from local revenues.
- 16) **Information and questions regarding this amendment shall be directed to:**

Betsy Salus
Senior Staff Attorney
Department of Nuclear Safety
1035 Outer Park Drive
Springfield, Illinois 62704
(217) 785-9881 (voice)
(217) 782-6133 (TDD)

The full text of the Emergency Amendment begins on the next page.

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF EMERGENCY AMENDMENT

TITLE 32: ENERGY
CHAPTER 11: DEPARTMENT OF NUCLEAR SAFETY
SUBCHAPTER B: RADIATION PROTECTION

USE OF RADIONUCLIDES IN THE HEALING ARTS
PART 335

SUBPART A: General Information

Purpose and Scope
Definitions
License Required
License Amendments

Section
335.10
335.20
335.30
335.40

SUBPART B: General Administrative Requirements

ALABA Program
Radiation Safety Officer
Radiation Safety Committee
Statement of Authorities and Responsibilities
Supervision
Authorized User and Visiting Authorized User
Mobile Nuclear Medicine Service Administrative Requirements
Notifications, Reports, and Records of Reportable Events
Materials Authorized for Medical Use

Section
335.1010
335.1020
335.1030
335.1040
335.1050
335.1060
335.1070
335.1080
335.1090

SUBPART C: General Technical Requirements

Possession, Use, Calibration and Check of Dose Calibrators
Possession, Calibration and Check of Survey Instruments
Assay of Radiopharmaceutical Dosages
Authorization for Calibration and Reference Sources
Requirements for Possession of Sealed Sources
Syringe Shields and Syringe Shield Labels
Vial Shields and Vial Shield Labels
Surveys for Contamination and Ambient Radiation Dose Rate
Safety Instructions for Patients Not Hospitalized and Containing
Therapeutic Doses of Radiopharmaceuticals or Permanent Implants
Admission of Patients Being Treated with Radiopharmaceuticals or
Permanent Implants
Discharge of Patients Being Treated with Therapeutic Doses of
Radiopharmaceuticals or Permanent Implants

Section
335.2010
335.2020
335.2030
335.2040
335.2050
335.2060
335.2070
335.2080
335.2090
335.2100
335.2110

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF EMERGENCY AMENDMENT

Mobile Nuclear Medicine Service Technical Requirements
Storage of Volatiles and Gases

SUBPART D: Uptake, Dilution and Excretion

Section
335.2120
335.2130

Section
335.3010
EMERGENCY

Use of Radiopharmaceuticals for Uptake, Dilution, or Excretion
Studies

SUBPART E: Imaging and Localization

Section
335.4010
EMERGENCY
335.4020
335.4030

Use of Radiopharmaceuticals, Generators and Reagent Kits for Imaging
and Localization Studies
Permissible Molybdenum-99 Concentration
Control of Aerosols and Gases

SUBPART F: Radiopharmaceuticals for Therapy

Section
335.5010
335.5020
335.5030

Use of Radiopharmaceuticals for Therapy
Safety Instruction
Safety Precautions for Radiopharmaceutical Therapy

SUBPART G: Sealed Sources for Diagnosis

Section
335.6010

Use of Sealed Sources for Diagnosis

SUBPART H: Sealed Sources for Brachytherapy

Section
335.7010
335.7020
335.7030
335.7040
335.7050

Use of Sealed Sources for Brachytherapy
Safety Instruction
Safety Precautions
Accountability of Brachytherapy Sources
Discharge of Patients Treated With Temporary Implants

SUBPART I: Teletherapy

Section
335.8010
335.8020

Use of a Sealed Source in a Teletherapy Unit
Maintenance and Repair Restrictions

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF EMERGENCY AMENDMENT

Section

335.9010 Amendments to Teletherapy Licenses
335.9020 Safety Instructions for Teletherapy
335.9030
335.9040
335.9050
335.9060 Doors, Interlocks and Safety Related Systems
335.9070 Radiation Monitoring Device for Teletherapy
335.9080 Viewing System for Teletherapy
335.9090 Teletherapy Dosimetry Equipment
335.9100 Full Calibration Measurements for Teletherapy
335.9110 Periodic Spot-Checks for Teletherapy
335.9120 Radiation Surveys for Teletherapy Facilities
335.9130 Safety Checks for Teletherapy Facilities
335.9140 Modification of Teletherapy Unit or Room Before Beginning a
335.9150 Treatment Program
335.9160 Reports of Teletherapy Surveys, Checks, Tests and Measurements
335.9170 Five-year Teletherapy Inspection

SUBPART J: Training and Experience Requirements

Section

335.9010 Radiation Safety Officer
335.9020 Training for Experienced Radiation Safety Officer
335.9030 Training for Uptake, Dilution, or Excretion Studies
335.9040 Training for Imaging and Localization Studies
335.9050 Training for Therapeutic Use of Radiopharmaceuticals
335.9060 Training for Treatment of Hyperthyroidism
335.9070 Training for Treatment of Thyroid Carcinoma
335.9080 Training for Therapeutic Use of Soluble Phosphorus-32
335.9090 Training for Therapeutic Use of Colloidal Chromic Phosphorus-32
335.9100 Labeled Phosphate Compound or Gold-198
335.9120 Training for Use of Sources for Brachytherapy
335.9130 Training for Ophthalmic Use of Strontium-90
335.9140 Training for Use of Sealed Sources for Diagnosis
335.9150 Training for Teletherapy
335.9160 Training for Teletherapy Physicist
335.9170 Training for Experienced Authorized Users
335.9180 Physician Training in a Three Month Program
335.9190 Recertification of Training
335.9200 Resolution of Conflicting Requirements During Transition Period

AUTHORITY: Implementing and authorized by the Radiation Protection Act of 1990 (111. Rev. Stat. 1990-Supp. 1991, ch. 111, pars. 210-1 et seq.) [420 ILCS 40/1].

SOURCE: Adopted at 15 Ill. Reg. 10763, effective July 15, 1991; emergency amended at 17 Ill. Reg. 9099, effective June 8, 1993, for a maximum of 150 days.

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF EMERGENCY AMENDMENT

SUBPART D: Uptake, Dilution and Excretion

Section 335.3010 Use of Radiopharmaceuticals for Uptake, Dilution, or Excretion Studies
EMERGENCY

A licensee may use any radioactive material in a radiopharmaceutical approved by the U.S. Food and Drug Administration (FDA) for a diagnostic use involving measurements of uptake, dilution, or excretion provided that the food and drug Administration (FDA) has either accepted an "Investigational New Drug Application" (IND) or approved a "New Drug Application" (NDA).

(Source: Emergency Amendment at 17 Ill. Reg. 9099, effective June 8, 1993, for a maximum of 150 days)

SUBPART E: Imaging and Localization

Section 335.4010 Use of Radiopharmaceuticals, Generators and Reagent Kits for Imaging and Localization Studies
EMERGENCY

a) A licensee may use any radioactive material in a diagnostic radiopharmaceutical approved by the U.S. Food and Drug Administration (FDA), or any generator, or any reagent kit for preparation and diagnostic use of a radiopharmaceutical containing radioactive material provided that the food and drug Administration has either accepted an "Investigational New Drug Application" (IND) or approved a "New Drug Application" (NDA).

b) A licensee shall elute generators in compliance with Section 335.4020.

(Source: Emergency Amendment at 17 Ill. Reg. 9099, effective June 8, 1993, for a maximum of 150 days)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

1) The Heading of the Part:

Intermediate Care for the Developmentally Disabled Facilities Code

Code Citation: 77 Ill. Adm. Code 3503) Section Numbers:Emergency Action:

350.3730 Amendments

4) Statutory Authority:The Nursing Home Care Act
Ill. Rev. Stat. 1991, ch. 111 1/2, par. 4151-101 et seq.
(210 ILCS 45/1-101 et seq. (1992))5) Effective Date of Emergency Amendments:

June 7, 1993

6) If this emergency amendment is to expire before the end of the 150 day period, please specify the date on which it is to expire:

Not Applicable

7) Date filed in Agency's Principal Office:

June 7, 1993

8) Reason for Emergency:

The Department of Public Health has adopted these amendments to implement a consent decree in the case of Frank Bozard et al. v. Philip Bradley, Jess McDonald, John R. Lumpkin, Audrey McCrimmon, and Maralee Lindley. The settlement agreement requires the Department to propose amendments to Parts 350 and 370 of the Illinois Administrative Code. The Department has determined that emergency rulemaking is necessary to implement the terms of the Agreement as quickly as possible. The amendments prohibit admission policies that discriminate against persons solely on the basis of their mobility limitations and state that nothing in this Part shall excuse compliance with accessibility or reasonable accommodation requirements of state or federal law. The Department is also correcting an error in the incorporation of the Life Safety Code that severely affects the enforcement of fire safety requirements.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

9) A Complete Description of the Subjects and Issues Involved:

Section 350.3730 - Subsection (b) is being amended to state that no resident shall be denied admission solely on the basis of mobility limitations. A new subsection (d) is added to state that nothing in this Part shall excuse facility compliance with accessibility or reasonable accommodation requirements of state or federal law. In addition, an error in the incorporation by reference of the Life Safety Code is corrected in subsection (b)(3). Chapter 24, which is currently referenced, establishes building construction standards for new mercantile occupancies. Chapter 21, which is the correct reference, establishes standards for long-term care facilities. The standards in Chapter 21 recognize that persons with different abilities will have different responses to a fire emergency.

The Department plans to propose identical amendments in accordance with the regular rulemaking requirements of the Illinois Administrative Procedure Act.

10) Are there any proposed amendments to this Part pending?

Section Numbers	Proposed Action	Illinois Register Citation
350.1235	New Section	16 Ill. Reg. 15044
350.640	Amendments	16 Ill. Reg. 17500
350.175	Amendments	17 Ill. Reg. 1269
350.180	Amendments	17 Ill. Reg. 1269
350.260	Amendments	17 Ill. Reg. 6028
350.270	Amendments	17 Ill. Reg. 1269
350.271	Amendments	17 Ill. Reg. 6028
350.278	Amendments	17 Ill. Reg. 6028
350.290	Amendments	17 Ill. Reg. 1269
350.640	Amendments	17 Ill. Reg. 1269
350.680	Amendments	17 Ill. Reg. 1269
350.685	Amendments	17 Ill. Reg. 1269
350.3210	Amendments	17 Ill. Reg. 1269
350.3330	Amendments	17 Ill. Reg. 1269
350.Appendix A	Repealer	17 Ill. Reg. 1269

11) Statement of Statewide Policy Objectives:

This rulemaking does not create or expand a State Mandate.

12) Information and questions regarding this amendment shall be directed to:

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF EMERGENCY AMENDMENTS

Name: Gail M. DeVito
 Address: Division of Governmental Affairs
 Illinois Department of Public Health
 535 West Jefferson Street, Fifth Floor
 Springfield, Illinois 62761
 Telephone: (217) 782-6187

The full text of the emergency amendments begins on the next page:

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER c: LONG-TERM CARE FACILITIESPART 350
INTERMEDIATE CARE FOR THE DEVELOPMENTALLY DISABLED FACILITIES CODE

SUBPART A: GENERAL PROVISIONS

Section	General Requirements	Information to Be Made Available to the Public By the Department
350.110	Application for License	Municipal Disclosure
350.120	Licensee	Ownership Disclosures
350.130	Issuance of an Initial License for a New Facility	Issuance of Conditional Licenses
350.140	Issuance of an Initial License Due to a Change of Ownership	Monitor and Receivership
350.150	Issuance of a Renewal License	Presentation of Findings
350.160	Criteria for Adverse Licensee Actions	Determination to Issue a Notice of Violation or Administrative Warning
350.165	Denial of Initial License	Determination of the Level of a Violation
350.170	Denial of Renewal of License	Notice of Violation
350.175	Revocation of License	Administrative Warning
350.180	Experimental Program Conflicting With Requirements	Plans of Correction
350.190	Inspections, Surveys, Evaluations and Consultation	Reports of Correction
350.200	Filing an Annual Attested Financial Statement	Conditions for Assessment of Penalties
350.210	Information to Be Made Available to the Public By the Licensee	Calculation of Penalties
350.220	Municipal Disclosure	Determination to Assess Penalties
350.230	Ownership Disclosures	Reduction or Waiver of Penalties
350.240	Issuance of Conditional Licenses	Quarterly List of Violators
350.250	Monitor and Receivership	Alcoholism Treatment Programs In Long-Term Care Facilities
350.260	Presentation of Findings	Department May Survey Facilities Formerly Licensed
350.270	Determination to Issue a Notice of Violation or Administrative Warning	
350.271	Determination of the Level of a Violation	
350.272	Notice of Violation	
350.274	Administrative Warning	
350.276	Plans of Correction	
350.277	Reports of Correction	
350.278	Conditions for Assessment of Penalties	
350.280	Calculation of Penalties	
350.282	Determination to Assess Penalties	
350.284	Reduction or Waiver of Penalties	
350.286	Quarterly List of Violators	
350.288	Alcoholism Treatment Programs In Long-Term Care Facilities	
350.290	Department May Survey Facilities Formerly Licensed	
350.300		
350.310		

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

Waivers
Definitions
Incorporated and Referenced Materials

350.320
350.330
350.340

SUBPART B: ADMINISTRATION

Administrator

Section
350.510

SUBPART C: POLICIES

Management Policies
Resident Care Policies
Admission and Discharge Policies
Contract Between Resident and Facility
Residents' Advisory Council
General Policies
Personnel Policies
Initial Health Evaluation for Employees
Developmental Disabilities Aides
Student Interns
Disaster Preparedness
Serious Incidents and Accidents

Section
350.610
350.620
350.630
350.640
350.650
350.660
350.670
350.675
350.680
350.685
350.690
350.700

SUBPART D: PERSONNEL

Personnel
Consultation Services
Personnel Policies

Section
350.810
350.820
350.830

SUBPART E: RESIDENT LIVING SERVICES

Service Programs
Psychological Services
Social Services
Speech Pathology and Audiology Services
Recreational and Activities Services
Training and Rehabilitation Services
Training and Habilitation Staff

Section
350.1010
350.1020
350.1030
350.1040
350.1050
350.1060
350.1070

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

SUBPART F: HEALTH SERVICES

Health Services
Physician Services
Tuberculin Skin Test Procedures
Nursing Services
Dental Services
Physical and Occupational Therapy Services

Section
350.1210
350.1220
350.1225
350.1230
350.1240
350.1250

SUBPART G: MEDICATIONS

Medication Policies and Procedures
Conformance with Physician's Orders
Administration of Medication
Labeling and Storage
Control of Narcotics and Legend Drugs

Section
350.1410
350.1420
350.1430
350.1440
350.1450

SUBPART H: RESIDENT AND FACILITY RECORDS

Resident Record Requirements
Content of Medical Records
Confidentiality of Resident's Records
Records Pertaining to Residents' Property
Retention and Transfer of Resident Records
Other Resident Record Requirements
Staff Responsibility for Medical Records
Retention of Facility Records
Other Facility Record Requirements

Section
350.1610
350.1620
350.1630
350.1640
350.1650
350.1660
350.1670
350.1680
350.1690

SUBPART I: FOOD SERVICE

Director of Food Services
Dietary Staff in Addition to Director of Food Services
Hygiene of Dietary Staff
Diet Orders
Adequacy of Diet and Meal Pattern
Therapeutic Diets
Scheduling Meals
Menu Planning

Section
350.1810
350.1820
350.1830
350.1840
350.1850
350.1860
350.1870
350.1880

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

350.1890
350.1900
350.1910

Food Preparation and Service
Food Handling Sanitation
Kitchen Equipment, Utensils, and Supplies

SUBPART J: MAINTENANCE, HOUSEKEEPING AND LAUNDRY

Section
350.2010
350.2020
350.2030

Maintenance
Housekeeping
Laundry Services

SUBPART K: FURNISHINGS, EQUIPMENT, AND SUPPLIES

Section
350.2210
350.2220

Furnishings
Equipment and Supplies

SUBPART L: WATER SUPPLY AND SEWAGE DISPOSAL

Section
350.2410
350.2420
350.2430
350.2440

Codes
Water Supply
Sewage Disposal
Plumbing

SUBPART M: CONSTRUCTION STANDARDS FOR NEW INTERMEDIATE CARE FACILITIES FOR THE DEVELOPMENTALLY DISABLED

Section
350.2610
350.2620
350.2630
350.2640
350.2650
350.2660
350.2670
350.2680
350.2690
350.2700
350.2710
350.2720
350.2730
350.2740

Applicability of These Standards
Codes and Standards
Preparation of Drawings and Specifications
Site
Administration and Public Areas
Nursing Unit
Dining, Living, Activities Rooms
Therapy and Personal Care
Service Departments
General Building Requirements
Structural
Mechanical Systems
Plumbing Systems
Electrical Systems

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

SUBPART N: CONSTRUCTION STANDARDS FOR EXISTING INTERMEDIATE CARE FACILITIES FOR THE DEVELOPMENTALLY DISABLED

Section
350.2910
350.2920
350.2930
350.2940
350.2950
350.2960
350.2970
350.2980
350.2990
350.3000
350.3010
350.3020
350.3030
350.3040

Applicability
Codes and Standards
Preparation of Drawings and Specifications
Site
Administration and Public Areas
Nursing Unit
Living, Dining, Activities Rooms
Treatment and Personal Care
Service Departments
General Building Requirements
Structural
Mechanical Systems
Plumbing Systems
Electrical Requirements

SUBPART O: RESIDENT'S RIGHTS

Section
350.3210
350.3220
350.3230
350.3240
350.3250
350.3260
350.3270
350.3280
350.3290
350.3300
350.3310
350.3320
350.3330

General
Medical and Personal Care Program
Restraints
Abuse and Neglect
Communication and Visitation
Residents' Funds
Residents' Advisory Council
Contract With Facility
Private Right of Action
Transfer or Discharge
Complaint Procedures
Confidentiality
Facility Implementation

SUBPART P: SPECIAL STANDARDS FOR INTERMEDIATE CARE FACILITIES FOR THE DEVELOPMENTALLY DISABLED OF 16 BEDS OR LESS

Section
350.3710
350.3720
350.3730

Applicability of Other Provisions of this Part
Administration
Admission and Discharge Policies

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

EMERGENCY

350.3740	Personnel
350.3750	Consultation Services and Nursing Services
350.3760	Medication Policies
350.3770	Food Services
350.3780	Codes and Standards
350.3790	Administration and Public Areas
350.3800	Bedrooms
350.3810	Nurses Station
350.3820	Bath and Toilet Rooms
350.3830	Utility Rooms
350.3840	Living, Dining, Activity Rooms
350.3850	Therapy and Personal Care
350.3860	Kitchen
350.3870	Laundry Room
350.3880	General Building Requirements
350.3890	Corridors
350.3900	Special Care Room
350.3910	Exit Facilities and Subdivision of Floor Areas
350.3920	Stairways, Vertical Openings and Doorways
350.3930	Hazardous Areas and Combustible Storage
350.3940	Mechanical Systems
350.3950	Heating, Cooling, and Ventilating Systems
350.3960	Plumbing Systems
350.3970	Electrical Systems
350.3980	Fire Alarm and Detection System
350.3990	Emergency Electrical System
350.4000	Fire Protection
350.4010	Construction Types
350.4020	Equivalencies
350.4030	New Construction Requirements

SUBPART Q: DAY CARE PROGRAMS

Section	Day Care in Long-Term Care Facilities
350.4210	
350.APPENDIX A	Classification of Distinct Part of a Facility for Different Levels of Service
350.APPENDIX B	Federal Requirements Regarding Residents' Rights
350.APPENDIX C	Seismic Zone Map
350.APPENDIX D	Forms for Day Care in Long-Term Care Facilities
350.TABLE A	Sound Transmission Limitations in New Intermediate Care Facilities for the Developmentally Disabled

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

350.TABLE B	Pressure Relationships and Ventilation Rate of Certain Areas for the New Intermediate Care Facilities for the Developmentally Disabled
350.TABLE C	Construction Types and Sprinkler Requirements for Existing Intermediate Care Facilities for the Developmentally Disabled
350.TABLE D	Food Service Sanitation Rules and Regulations, 77 Ill. Adm. Code 750, 1983 Applicable for New Intermediate Care Facilities for the Developmentally Disabled at Sixteen (16) Beds or Less
350.TABLE E	Construction Types and Sprinkler Requirements for New Intermediate Care Facilities for the Developmentally Disabled of Sixteen (16) Beds or Less
350.TABLE F	Disaster Preparedness Parameters - Relative Humidity and Temperature.

AUTHORITY: Implementing and authorized by the Nursing Home Care Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 4151-101 et seq.) [210 ILCS 451-101 et seq. (1992)].

SOURCE: Emergency rules adopted at 4 Ill. Reg. 10, p. 495, effective March 1, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 30, p. 1, effective July 28, 1980; amended at 5 Ill. Reg. 1657, effective February 4, 1981; amended at 6 Ill. Reg. 5981, effective May 3, 1982; amended at 6 Ill. Reg. 6453, effective May 14, 1982; amended at 6 Ill. Reg. 8198, effective June 25, 1982; amended at 6 Ill. Reg. 14544, effective November 8, 1982; amended at 6 Ill. Reg. 14675, effective November 15, 1982; amended at 6 Ill. Reg. 15556, effective December 15, 1982; amended at 7 Ill. Reg. 276, effective December 22, 1982; amended at 7 Ill. Reg. 1919 and 1945, effective January 28, 1983; amended at 7 Ill. Reg. 7963, effective July 1, 1983; amended at 7 Ill. Reg. 15817, effective November 15, 1983; amended at 7 Ill. Reg. 16984, effective December 14, 1983; amended at 8 Ill. Reg. 15574 and 15578, effective August 15, 1984; amended at 8 Ill. Reg. 15935, effective August 17, 1984; amended at 8 Ill. Reg. 16980, effective September 5, 1984; codified at 8 Ill. Reg. 19806; amended at 8 Ill. Reg. 24214, effective November 29, 1984; amended at 8 Ill. Reg. 24680, effective December 7, 1984; amended at 9 Ill. Reg. 142, effective December 26, 1984; amended at 9 Ill. Reg. 331, effective December 28, 1984; amended at 9 Ill. Reg. 2964, effective February 25, 1985; amended at 9 Ill. Reg. 10876, effective July 1, 1985; amended at 11 Ill. Reg. 14795, effective October 1, 1987; amended at 11 Ill. Reg. 16830, effective October 1, 1987; amended at 12 Ill. Reg. 979, effective December 24, 1987; amended at 12 Ill. Reg. 16838, effective October 1, 1988; emergency amendment at 12 Ill. Reg. 18705, effective October 24, 1988, for a maximum of 150 days; emergency expired March 23, 1989; amended at 13 Ill. Reg. 6040, effective April 17, 1989; amended at 13 Ill. Reg. 19451, effective December 1, 1989; amended at 14 Ill. Reg. 14876, effective October 1, 1990; amended at 15 Ill. Reg. 466, effective January 1, 1991; amended at 16 Ill. Reg. 594, effective January 1, 1992; amended at 16 Ill. Reg. 13910, effective September 1, 1992; emergency amendment at 17 Ill. Reg. 2373, effective February 3, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 2351, effective February 10, 1993; emergency amendment at 17 Ill. Reg. 7978, effective May 6, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 3105, effective June 7, 1993, for a maximum of 150 days.

NOTE: Italics and capitalization denote statutory language.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

Section 350.3720
EMERGENCY

Admission and Discharge Policies

- a) Residents shall only be admitted who have had a comprehensive evaluation covering physical, emotional, social and cognitive factors, reviewed by an appropriately constituted interdisciplinary team (IDT). As part of this evaluation, the resident's capabilities for self-preservation shall be determined. (B)
- b) No residents shall be denied admission solely on the basis of mobility limitations. ~~admitted to the facility, who are not independently, with or without devices, mobile surfaces. If a resident has mobility limitations.~~
- 1) The interdisciplinary team in the comprehensive evaluation concludes and documents that:
- A) the person's needs (medical, social, psychological, and developmental) can be met at the facility; and
 - B) admission to the facility is in the best interest of the person; and
 - C) admission of the person to the facility will not adversely affect any resident currently at the facility.
- 2) The physical plant and equipment will not be a barrier to the person's achieving all adjudged capabilities.
- 3) The physical plant is built to "impractical" standards as defined in Chapter 21 of the Life Safety Code (National Fire Protection Association Standard Number 101, 1985 edition), or there is adequate available trained staff, as evaluated by the Department and as determined by the calculation of the Level of Evacuation Difficulty as defined in Appendix F of the Life Safety Code (NFPA 101, 1985 edition) so as to meet "slow or prompt building standards."
- c) Each resident of an ICF/DD of 16 Beds or Less shall be either employed or enrolled in an external day program, off the grounds of the facility, at least 240 days per year, five hours per day. A resident may participate in more than one program to meet this requirement.
- 1) The provision of employment or enrollment in a day program shall be documented in the resident's individual habilitation plan.
 - 2) Each interdisciplinary team review shall include a review of the resident's day program to assure consistent program planning and implementation.

- 3) When possible representatives from the resident's employment or day program shall participate in the interdisciplinary team review.

- d) Nothing in this Part shall excuse facility compliance with accessibility or reasonable accommodation requirements of state or federal law.

(Source: Emergency amendment at 17 Ill. Reg. 9105, effective June 7, 1993 for a maximum of 150 days)

DEPARTMENT OF PUBLIC HEALTH

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

NOTICE OF EMERGENCY AMENDMENTS

1) The Heading of the Part:

Minimum Standards for the Licensure of Community Living Facilities

Code Citation: 77 Ill. Adm. Code 370

3) Section Numbers:

370-520

Emergency Action:
Amendments4) Statutory Authority:Community Living Facilities Licensing Act
Ill. Rev. Stat. 1991, ch. 111 1/2, par. 4181 et seq.
[210 ILCS 35/1-101 et seq. (1992)]5) Effective Date of Emergency Amendments:

June 7, 1993

6) If this emergency amendment is to expire before the end of the 150 day period, please specify the date on which it is to expire:

Not Applicable

7) Date filed in Agency's Principal Office:

June 7, 1993

8) Reason for Emergency:

The Department of Public Health has adopted these amendments to implement a consent decree in the case of Frank Boardak et al. v. Philip Bradley, Jess McDonald, John R. Lumpkin, Audrey McCrimmon, and Maralee Lindley. The settlement agreement requires the Department to propose amendments to Parts 350 and 370 of Title 77 of the Illinois Administrative Code. The Department has determined that emergency rulemaking is necessary to implement the terms of the Agreement as quickly as possible. The amendments prohibit admission policies that discriminate against persons solely on the basis of their mobility limitations and state that nothing in this Part shall excuse compliance with accessibility or reasonable accommodation requirements of state or federal law.

9) A Complete Description of the Subjects and Issues Involved:

Section 370.520 - The rule is being renumbered to accommodate the addition of subsection (b). A new subsection (a)(3) states that no person shall be denied admission solely on the basis of mobility limitations. A provision prohibiting admission of persons who are physically or mentally incapable of walking and caring for oneself without the physical assistance of another person is deleted. Subsection (b) is added stating that nothing in this Part shall excuse compliance with accessibility or reasonable accommodation requirements of state or federal law.

The Department plans to propose identical amendments in accordance with the regular rulemaking requirements of the Illinois Administrative Procedure Act.

10) Are there any proposed amendments to this Part pending? Yes ☐ No ☒ X

Section Numbers Proposed Action Illinois Register Citation

11) Statement of Statewide Policy Objectives:

This rulemaking does not create or expand a State Mandate.

12) Information and questions regarding this amendment shall be directed to:

Name: Gail M. DeVito
Address: Division of Governmental Affairs
Illinois Department of Public Health
535 West Jefferson Street, Fifth Floor
Springfield, Illinois 62761
Telephone: (217) 782-6187

The full text of the emergency amendments begins on the next page:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER C: LONG-TERM CARE FACILITIES

PART 370

MINIMUM STANDARDS FOR THE LICENSURE OF COMMUNITY LIVING FACILITIES

SUBPART A: GENERAL PROVISIONS

Section	
370.110	General Requirements
370.120	Application for License
370.130	Licensee
370.140	Issuance of an Initial License for a New Facility
370.150	Issuance of an Initial License Due to a Change of Ownership
370.160	Issuance of a Renewal License
370.170	Denial or Revocation
370.180	Experimental Program Conflicting with Requirements
370.190	Inspections
370.200	Information to Be Made Available to the Public By the Licensee
370.210	Ownership Disclosure
370.220	Variances
370.230	Alcoholism Treatment Programs in Community Living Facilities
370.240	Definitions

SUBPART B: ADMINISTRATION

Section	
370.400	Administration
	SUBPART C: POLICIES
Section	
370.510	Social and Vocational Training Program Policies
370.520	Admission and Discharge Policies
EMERGENCY	
370.530	Agreement Between Resident and Facility
370.540	General Policies
370.550	Personnel Policies

SUBPART D: PERSONNEL

Section

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

370.710	Personnel
370.720	Personnel Policies
	SUBPART E: HEALTH MAINTENANCE SERVICES

Section	
370.810	Medical Care Policies
370.820	Communicable Disease Policies
370.830	Behavior Emergencies
370.840	Medication Policies

SUBPART F: PROGRAM SERVICES

Section	
370.1010	Program Evaluation
370.1020	Program and Services

SUBPART G: RECORDS

Section	
370.1210	General
370.1220	Other Records
370.1230	Confidentiality

SUBPART H: FOOD SERVICE

Section	
370.1410	Food Service
370.1420	Adequacy of Diet
370.1430	Therapeutic Diets
370.1440	Scheduling of Meals
370.1450	Food Preparation and Service
370.1460	Food Handling Sanitation
370.1470	Kitchen Equipment, Utensils and Supplies

SUBPART I: MAINTENANCE, HOUSEKEEPING AND LAUNDRY

Section	
370.1610	Maintenance
370.1620	Housekeeping
370.1630	Laundry Services

SUBPART J: FURNISHINGS, EQUIPMENT AND SUPPLIES

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

Section
370.1810
370.1820

Furnishings
Equipment and Supplies

SUBPART K: WATER SUPPLY AND SEWAGE DISPOSAL

Section
370.2010
370.2020
370.2030
370.2040

Codes
Water Supply
Sewage Disposal
Plumbing

SUBPART L: DESIGN AND CONSTRUCTION STANDARDS FOR NEW
COMMUNITY LIVING FACILITIES

Section
370.2210
370.2220
370.2230
370.2240
370.2250
370.2260
370.2270
370.2280
370.2290
370.2300
370.2310
370.2320
370.2330
370.2340
370.2350
370.2360
370.2370
370.2380
370.2390
370.2400
370.2410
370.2420
370.2430

Applicability of Standards
Codes and Standards
Preparation of Drawings and Specifications
Site
Administration
Bedrooms
Nurses' Station
Bath and Toilet Rooms
Living, Dining Room, and Activity Room(s)
Kitchen
Laundry Room
Housekeeping and Storage
Building General
Exit Facilities and Subdivision of Floor Areas
Stairways and Vertical Openings
Hazardous Areas
Structural
Mechanical Systems
Plumbing Systems
Electrical Systems
Fire Alarm and Detection System
Emergency Electrical System
Fire Protection

SUBPART M: DESIGN AND CONSTRUCTION STANDARDS FOR EXISTING
COMMUNITY LIVING FACILITIES

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

Section
370.2610
370.2620
370.2630
370.2640
370.2650
370.2660
370.2670
370.2680
370.2690
370.2700
370.2710
370.2720
370.2730
370.2740
370.2750
370.2760
370.2770
370.2780
370.2790
370.2800
370.2810
370.2820
370.2830

Applicability of Standards
Codes and Standards
Preparation of Drawings and Specifications
Site
Administration and Public Areas
Bedrooms
Nurses' Station
Bath and Toilet Rooms
Living, Dining Room, and Activity Room(s)
Kitchen
Laundry Room
Housekeeping and Storage
Building General
Exit Facilities and Subdivision of Floor Areas
Stairways and Vertical Openings
Hazardous Areas
Structural
Mechanical Systems
Plumbing Systems
Electrical Systems
Fire Alarm and Detection System
Emergency Electrical System
Fire Protection

SUBPART N: RESIDENT'S RIGHTS

Section
370.3010
370.3020
370.3030
370.3040
370.3050
370.3060
370.3070
370.3080
370.3090
370.3100
370.3110

General
Medical and Personal Care Program
Restraints
Abuse and Neglect
Communication and Visitation
Resident's Funds
Private Right of Action
Transfer and/or Discharge
Complaint Procedures
Confidentiality
Facility Implementation

370.APPENDIX A Program Standards
370.APPENDIX B Sanitizing Solutions

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

AUTHORITY: Implementing and authorized by the Community Living Facilities Act (Ill. Rev. Stat. 1963-9), ch. 111 1/2, par. 4181 et seq.; [210 ILCS 35/1 et seq. (1992)].

SOURCE: Emergency rules adopted at 6 Ill. Reg. 379, effective January 1, 1982, for a maximum of 150 days; adopted at 6 Ill. Reg. 6226, effective May 19, 1982; codified at 8 Ill. Reg. 19476; amended at 8 Ill. Reg. 24706, effective December 7, 1984; emergency amendment at 17 Ill. Reg. 9117, effective June 7, 1993, for a maximum of 150 days.

NOTE: Italics and capitalization denote statutory language.

Section 370.520
EMERGENCY

Admission and Discharge Policies

a) These written policies shall include at a minimum the following provisions:

- 1) No person shall be admitted to a community living facility until and unless he/she has been determined by an appropriate evaluation, to have a reasonable potential for returning to his/her own home or leading an independent life.
- 2) No person requiring prenatal or maternity care may be admitted to, nor shall reside in, a facility unless adequate prenatal and other medical services from community sources are available to her.
- 3) No person shall be denied admission solely on the basis of mobility limitations.
- 4) No person shall be admitted to, nor reside in a facility:

A) Who requires mental treatment as defined in Section 370.240 of these regulations. (See definition of "Person in Need of Mental Treatment" in Section 370.240.)

B) Who is destructive of property or oneself.

C) Who has serious mental or emotional problems based on a diagnosis by a physician or clinical psychologist.

D) Who is less than eighteen (18) years of age.

E) Who is physically or mentally incapable of walking and eating for oneself without the physical assistance of another person.

F) Who is in need of nursing care or more personal care than oversight

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

and supervision.

- 5) A facility shall not admit more residents than the number authorized by the license issued to it.
- 6) A facility shall not refuse to discharge or transfer a resident when requested to do so by the resident or, by the resident's guardian.
- 7) No person shall be admitted with a communicable disease, including active tuberculosis.

b) Nothing in this Part shall excuse compliance with accessibility or reasonable accommodation requirements of state or federal law.

(Source: Emergency amendment at 17 Ill. Reg. 9117, effective June 7, 1993, for a maximum of 150 days)

ILLINOIS COMMERCE COMMISSION

NOTICE PURSUANT TO P.A. 87-823

Heading of the Part: Access to Information

Code Citation: 2 Ill. Adm. Code 1701

Sections: Authority Note

The Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.

Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	Existing Cite	IAPA Citation Conversions: New Cite
Authority Note	Section 4.01 par. 1004.01	Section 5-15 par. 1005-15

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

ILLINOIS REGISTER

ILLINOIS COMMERCE COMMISSION

NOTICE PURSUANT TO P.A. 87-823

Heading of the Part: Least-cost Planning for Electric Utilities

Code Citation: 83 Ill. Adm. Code 440

Sections: 440.900

4) The Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.

5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	Existing Cite	IAPA Citation Conversions: New Cite
440.900(b)	Section 3.10 par. 1003.10	Section 1-75 par. 1001-75

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

ILLINOIS COMMERCE COMMISSION

NOTICE PURSUANT TO P.A. 87-823

1) Heading of the Part: Least-cost Planning for Natural Gas Utilities

2) Code Citation: 83 Ill. Adm. Code 535

3) Sections: 535.500

4) The Illinois Administrative Procedure Act (Ill. Rev. Stat. 1994, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.

5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation Conversions:	
	Existing Cite	New Cite
535.500(b)	Section 3.10 par. 1003.10	Section 1-75 par. 1001-75

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

ILLINOIS COMMERCE COMMISSION

NOTICE PURSUANT TO P.A. 87-823

1) Heading of the Part: Public Information, Rulemaking and Organization

2) Code Citation: 2 Ill. Adm. Code 1700

3) Sections: Authority Note

4) The Illinois Administrative Procedure Act (Ill. Rev. Stat. 1994, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.

5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation Conversions:	
	Existing Cite	New Cite
Authority Note	Section 4.01 par. 1004.01	Section 5-15 par. 1005-15

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

ILLINOIS REGISTER

ILLINOIS COMMERCE COMMISSION

NOTICE PURSUANT TO P.A. 87-823

1) Heading of the Part: Rules of Practice

2) Code Citation: 83 Ill. Adm. Code 200

3) Sections: 200.40, 200.150, 200.300, 200.610, 200.640, 200.700, 200.710, 200.820

4) The Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.

5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation Conversions:	
	Existing Cite	New Cite
200.40	par. 1003.02	par. 1001-30
	par. 1001 et seq.	par. 1001-1 et seq.
	par. 1003.04	par. 1001-35
	par. 1003.05	par. 1001-40
	par. 1016	par. 1010-65
200.150(f)	par. 1010	par. 1010-25
	par. 1001 et seq.	par. 1001-1 et seq.
	par. 1003.05	par. 1001-40
	par. 1003.05	par. 1001-40
	par. 1003.05	par. 1001-40
200.610(b)	par. 1003.05	par. 1001-40
	par. 1003.05	par. 1001-40
	par. 1003.05	par. 1001-40
	par. 1003.05	par. 1001-40
	par. 1003.05	par. 1001-40
200.640 Agency Note	Section 12	Section 10-40
	200-700(a) (10)	par. 1011
	200-700(a) (10)	par. 1010-35
	200-710(a)	Section 10-70
	200-710(a)	Section 18
200.710(b) (2)	par. 1018	par. 1010-70
	par. 1015	par. 1010-60
	par. 1015	par. 1010-60
	par. 1013	par. 1010-45
	par. 1013	par. 1010-45

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of the Part: Access to Information of the State Board of Education Under the Freedom of Information Act
- 2) Code Citation: 2 Ill. Adm. Code 5001
- 3) Sections: Authority Note, 5001.100
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.

5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation Conversions:	
	Existing Cite	New Cite
5001.100(b)	Authority Note	Sec. 4-01
		Par. 1004.01
		Sec. 4-01
		Sec. 5-15
		Par. 1005-15

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

STATE BOARD OF EDUCATION

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of the Part: Contested Cases and Other Formal Hearings
- 2) Code Citation: 23 Ill. Adm. Code 475
- 3) Sections: Authority Note, 475.10, 475.90
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation Conversions:	
	Existing Cite	New Cite
Authority Note	Sec. 4(a)(1) Par. 1004(a)(1)	Sec. 5-10(a)(i) Par. 1005-10(a)(i)
475.10(a)	Par. 1004(a)(1)	Par. 1005-10(a)(i)
475.90(1)(8)	Sec. 15	Sec. 10-60

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

STATE BOARD OF EDUCATION

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of the Part: Driver Education
- 2) Code Citation: 23 Ill. Adm. Code 252
- 3) Sections: Main Source Note, 252.50
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation Conversions:	
	Existing Cite	New Cite
Main Source Note	Sec. 7(e) Par. 1007(e)	Sec. 5-80(d) Par. 1005-80(d)
252.50	Sec. 7(e) Par. 1007(e)	Sec. 5-80(d) Par. 1005-80(d)

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE PURSUANT TO P.A. 87-823

- 1) **Heading of the Part:** Health Examinations and Immunizations
- 2) **Code Citation:** 23 Ill. Adm. Code 625
- 3) **Sections:** 625.70
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) 5 ILCS 100/1-1 et seq., as amended pursuant to P.A. 87-823 effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	ILAPA Citation Conversions: Existing Cite	New Cite
625.70	Par. 1010	Par. 1010-25

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE PURSUANT TO P.A. 87-823

- 1) **Heading of the Part:** Hearings Before the State Teacher Certification Board
- 2) **Code Citation:** 23 Ill. Adm. Code 480
- 3) **Sections:** Authority Note, 480.10, 480.60, 480.80, 480.90
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) 5 ILCS 100/1-1 et seq., as amended pursuant to P.A. 87-823 effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.

- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	ILAPA Citation Conversions: Existing Cite	New Cite
Authority Note	Sec. 4(a)(1) Par. 1004(a)(1)	Sec. 5-10(a)(1) Par. 1005-10(a)(1)
480.10(a)	Sec. 4(a)(1) Par. 1004(a)(1)	Sec. 5-10(a)(1) Par. 1005-10(a)(1)
480.60(a)(6)	Par. 1001 et seq.	Par. 1001-1 et seq.
480.80(h)(9)	Sec. 15 Par. 1011	Sec. 10-60 Par. 1010-60
480.90(a)	Sec. 14	Sec. 10-50
480.90(b)	Sec. 13	Sec. 10-45

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

STATE BOARD OF EDUCATION

STATE BOARD OF EDUCATION

NOTICE PURSUANT TO P.A. 87-823

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of the Part: Public Information, Rulemaking and Organization
- 2) Code Citation: 2 Ill. Adm. Code 5000
- 3) Sections: Authority Note, 5000.110
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation	Existing Cite	New Cite
Authority Note	Sec. 4.01	Sec. 4.01	Sec. 5-15
		Par. 1004.01	Par. 1005-15
5000.110(c)	Sec. 5.02	Sec. 5.02	Sec. 5-45
	Sec. 5.03	Sec. 5.03	Sec. 5-50
	Sec. 4.01	Sec. 4.01	Sec. 5-15
	Par. 1005.02	Par. 1005.02	Par. 1005-45
	Par. 1005.03	Par. 1005.03	Par. 1005-50
	Par. 1004.01	Par. 1004.01	Par. 1005-10
	Par. 1004.01	Par. 1004.01	Par. 1005-15

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

- 1) Heading of the Part: Vocational Education
- 2) Code Citation: 23 Ill. Adm. Code 254
- 3) Sections: 254.398
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation	Existing Cite	New Cite
254.398(b)(1)	Par. 1001 et seq.	Par. 1001 et seq.	Par. 1001-1 et seq.

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

ILLINOIS REGISTER

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of the Part: Administrative Hearings And Appeals
- 2) Code Citation: 56 Ill. Adm. Code 2725
- 3) Sections: 2725.255; 2725.265
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.

- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation Conversions:	
	Existing Cite	New Cite
2725.255	Sec. 12	Sec. 10-40
2725.265	Sec. 11	Sec. 10-35

These changes have been made to the rules on file with the Administrative Code Division, Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

ILLINOIS REGISTER

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of the Part: General Provisions
- 2) Code Citation: 56 Ill. Adm. Code 2960
- 3) Sections: 2960.105; 2960.110
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.

- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation Conversions:	
	Existing Cite	New Cite
2960.105	Sec. 3.01	Sec. 1-20
2960.110	Sec. 3.01	Sec. 1-20

These changes have been made to the rules on file with the Administrative Code Division, Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

DEPARTMENT OF MINES AND MINERALS

NOTICE PURSUANT TO P.A. 87-823

1) Heading of the Part: Freedom of Information Rules2) Code Citation: 2 Ill. Adm. Code 10513) Sections: Authority Note, 1051.10

4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) (5 ILCS 100/1-1 et seq.), as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.

5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation Conversions:	
	Existing Cite	New Cite
Authority Note	Sec. 4.01	Sec. 5-15
1051.10	Sec. 4.01	Sec. 5-15

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

DEPARTMENT OF MINES AND MINERALS

NOTICE PURSUANT TO P.A. 87-823

1) Heading of the Part: The Illinois Oil and Gas Act2) Code Citation: 62 Ill. Adm. Code 2403) Sections: 240.180, 240.190, 240.410

4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) (5 ILCS 100/1-1 et seq.), as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.

5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation Conversions:	
	Existing Cite	New Cite
240.180	Sections 10-25, 10-35, 10-40, 10-50 and 10-60	Article 10
240.190	Sections 10-25, 10-35, 10-40, 10-50 and 10-60	Article 10
240.410	Section 5.01	Section 5-40

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

DEPARTMENT OF MINES AND MINERALS

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of the Part: Illinois Surface Coal Mining Operations
- 2) Code Citation: 62 Ill. Adm. Code 280
- 3) Sections: 280.10, 280.80
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) (5 ILCS 100/1-1 et seq.), as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation Conversions:	
	Existing Cite	New Cite
280.10	Par. 1001	Par. 1001-1 et seq.
280.80	Sections 10, 11, 12 13 and 14 Par. 1010, 1011, 1012 1013 and 1014 Section 13	Article 10 Par. 1010-5 et seq. Sec. 10-45

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of the Part: Access to Public Records
- 2) Code Citation: 2 Ill. Adm. Code 1176
- 3) Section Numbers: Authority note; 1176.10
- 4) Statutory Authority: The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001 et seq.) [5 ILCS 100/1-1 et seq.] amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section/ Subsection No.	IAPA Citation Conversions	
	Existing Cite	New Cite
Authority Note:	Sec. 4.01 par. 1004.01	Sec. 5-15 par. 1005-15
	1176.10	Sec. 4.01 par. 1004.01

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE PURSUANT TO PA 87-823

- 1) Heading of the Part: Public Information, Rulemaking, Department Organization
- 2) Code Citation: 2 Ill. Adm. Code 1175
- 3) Section Numbers: Authority note; 1175.200, 1175.230, 1175.240, 1175.270, 1175.280
- 4) Statutory Authority: The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001 et seq.) [5 ILCS 100/1-1 et seq.] amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named Rules are made:

Section/ Subsection No.	IAPA Citation Conversions	
	<u>Existing Cite</u>	<u>New Cite</u>
1175.200	Authority Note:	
	Sec. 4.01	Sec. 5-15
	par. 1004.01	par. 1005-15
	par. 1001	par. 1001-1
	Sec. 9	Sec. 5-150
	par. 1009	par. 1005-150
1175.230	Sec. 3.09	Sec. 1-70
	par. 1003.09	par. 1001-70
	Sec. 5.03	Sec. 5-50
	par. 1005.03	par. 1005-50
	Sec. 5.02	Sec. 5-45
	par. 1005.02	par. 1005-45
1175.240	Sec. 1001	Sec. 1001-1
1775.270	Sec. 5.01(a)	Sec. 5-40(b)
	par. 1005.01(a)	par. 1005-40(b)
	Sec. 5.01(a)	Sec. 5-40(b)
	par. 1005.01(a)	par. 1005-40(b)
1775.280	Sec. 5.01(b)	Sec. 5-40(c)
	par. 1005.01(b)	par. 1005-40(c)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE PURSUANT TO PA 87-823

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

ILLINOIS REGISTER

STATE UNIVERSITIES CIVIL SERVICE SYSTEM

NOTICE PURSUANT TO P.A. 87-823

1) **Heading of Part:** Public Information, Rulemaking and Organization

2) **Code Citation:** 2 ILL. Adm. Code §330

3) **Sections:** Authority Note

4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.

5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

Section Subsection No.	IAPA Citation Conversions:	
	Existing Cite	New Cite
Authority Note	Sec. 4.01 Par. 1004.01	Sec. 5-15 Par. 1005-15

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rule nor the date on which they became effective.

ILLINOIS REGISTER

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Pursuant to 35 Ill. Adm. Code 302. Subpart F, the following water quality criteria as originally published in 15 Ill. Reg. 3334, March 1, 1991, have been revised as follows. This listing constitutes the water quality criteria that have been derived through April 30, 1993.

Chemical: Benzene

Date criteria derived: August 15, 1990

Applicable waterbodies: Higgins Creek, Reach No. 07120004-011/off; unnamed tributary to Welsh Creek, Reach No. 07120007-008/off; Poplar Creek, Reach No. 07120006-001/off; Lake Zurich, Reach No. 07120006-001/off; Willow Creek, Reach No. 07120004-011/off; unnamed tributary to Melville Ditch, Reach No. 07120004-008/off; Buffalo Creek, Reach No. 07120004-011/off; unnamed tributary to Illinois River, Reach No. 07130003-003/off; and unnamed ditch to North Branch Chicago River, Reach No. 07120003-003/off.

acute criterion: 5,200 ug/l

chronic criterion: 416 ug/l

Chemical: Chlorobenzene

Date criteria derived: December 11, 1991

Applicable waterbodies: Kite River, Reach No. 07090005-010/on; unnamed tributary to Melville Ditch, Reach No. 07120004-008/off; and unnamed tributary to Illinois River, Reach No. 07130003-003/off.

acute criterion: 993 ug/l

chronic criterion: 79 ug/l

Chemical: Ethylbenzene

Date criteria derived: August 15, 1990, revised May 17, 1991

Applicable waterbodies: unnamed tributary to Coal Creek, Reach No. 07090005-003/off; unnamed tributary to Welsh Creek, Reach No. 07120007-008/off; unnamed tributary to Melville Ditch, Reach No. 07120003-018/off; Higgins Creek, Reach No. 07120004-001/off; Lux Creek, Reach No. 07120003-018/off; unnamed tributary to Melville Ditch, Reach No. 07120004-011/off; unnamed tributary to Willow Creek, Reach No. 07120001-006/off; Poplar Creek, Reach No. 07120006-001/off; Lake Zurich, Reach No. 07120006-001; Willow Creek, Reach No. 07120004-011/off; Des Plaines River, Reach No. 07120004-011/on; Fox River, Reach No. 07120006-001/on; unnamed tributary to Little Dry Fork, Reach No. 05120115-001/off; unnamed tributary to Melville Ditch, Reach No. 07120004-008/off; Buffalo Creek, Reach No. 07120004-011/off; unnamed tributary to Illinois River, Reach No. 07130003-003/off; unnamed ditch to North Branch Chicago River, Reach No. 07120003-003/off; Piles Creek, Reach No. 07140106-005/on; Midlothian Creek, Reach No. 07120003-006/off; unnamed tributary to South Kent Creek, Reach No. 07090005-016/off; Addison Creek, Reach No. 07120004-011/off; Diamond Lake Drain, Reach No. 07120004-011/off; unnamed tributary to the Little Wabash River, Reach No. 05120114-012/off; McDonald Creek, Reach No. 07120004-011/off; Genesee Creek, Reach No.

LISTING OF DERIVED WATER QUALITY CRITERIA

0719090007-001/00ff; unnamed tributary Long Creek, Reach No. 07130010-035/00ff; unnamed tributary Seminary Creek, Reach No. 05120014-023/00ff; and unnamed tributary Bear Creek, Reach No. 05140204-013/00ff; Lake Arlington, and Reach No. 07120004-011/00ff; West Fork North Branch Chicago River, Reach No. 07120004-033/00ff; unnamed tributary to Black Creek, Reach No. 07120003-003/00ff; unnamed tributary to Black Creek, Reach No. 07140204-014/00ff; Stony Creek, Reach No. 0712003-005/00ff; unnamed tributary to South Fork South Henderson Creek, Reach No. 07080104-015/00ff; North Branch Chicago River, Reach No. 07120003-003/00ff; Kickapoo Creek, Reach No. 07130019-025/00ff; North Branch Chicago River, Reach No. 07130009-012/00ff; unnamed tributary Sugar Creek, Reach No. 05120111-025/00ff; and Salt Creek, Reach No. 07120004-016/00ff; Rock Creek Into Mack Inaw River, Reach No. 07130004/002/00ff; Drummer Creek Into Sangamon River, Reach No. 07130006/016/00ff; drainage to DesPlaines River, Reach No. 07120006/012/00ff; drainage to Sangamon River, Reach No. 07130006/004/00ff; drainage to North Branch of Chicago River, Reach No. 07120003/002/00ff; Illinois River, Reach No. 07130001/001/00ff on.

acute criterion: 216 ug/l

chronic criterion: 17.2 ug/l

Chemical: Hydrazine

Chemical: Hydrazine

CAS #302-01-2

Date criteria derived: September 13, 1990

acute criterion: 6.2 ug/l

chronic criterion: 0.5 ug/l

Chemical: Methyl ethyl ketone

Chemical: Methyl ethyl ketone

CAS #78-93-3

Date criteria derived: July 1, 1992

acute criterion: 322,000 ug/l

chronic criterion: 26,000 ug/l

Chemical: Naphthalene

Chemical: Naphthalene

CAS

Date criteria derived: November 7, 1991

acute criterion: 670 ug/l

chronic criterion: 53 ug/l

Chemical: Tetrahydrofuran

Chemical: Tetrahydrofuran

CAS #109-99-9

Date criteria derived: March 16, 1992

acute criterion: 216,000 ug/l

chronic criterion: 17,300 ug/l

LISTING OF DERIVED WATER QUALITY CRITERIA

Chemical: Toluene
Date criteria derived: August 16, 1990, revised May 17, 1991 and January 26, 1993
CAS #108-88-3
Applicable waterbodies: Higgins Creek, Reach No. 07120004-011/off; unnamed tributary Welsh Creek, Reach No. 07120007-008/off; Lux Creek, Reach No. 07120003-018/off; Wheeling Creek, Reach No. 07120004-011/off; unnamed drainage ditch to Saline Branch, Reach No. 05120091-013/off; unnamed tributary to Wiley Creek, Reach No. 07120001-006/off; Poplar Creek, Reach No. 07120006-001/off; Little Lake Zurich, Reach No. 07120006-006/off; Poplar Creek, Reach No. 07120004-011/off; Des Plaines River, Reach No. 07120004-011/off; Fox River, Reach No. 07120006-001/off; unnamed tributary to Little Dry Fork, Reach No. 05120115-001/off; unnamed tributary to Melvina Ditch, Reach No. 05120115-001/off.

acute criterion: 8,080 ug/l

chronic criterion: 646 ug/l

Chemical: Xylenes O-Xylene

ne

p-Xylene

CAS #106-42-3

Date criteria derived: August 23, 1990

Date criteria derived: August 23, 1990

Applicable waterbodies: Higgins Creek, Reach No. 017120004-011/off; unnamed tributary to Welsh Creek, Reach No. 07120007-008/off; Lux Creek, Reach No. 07130003-018/off; Wheeling Creek, Reach No. 07120004-011/off; unnamed drainage ditch to Saline Branch, Reach No. 05120901-013/off; unnamed tributary to Wiley Creek, Reach No. 05120901-013/off

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Creek, Reach No. 07120001-006/off; Poplar Creek, Reach No. 07120006-001/off; Lake Zurich, Reach No. 07120006-001/off; Willow Creek, Reach No. 07120004-011/off; Des Plaines River, Reach No. 07120004-011/on; Fox River, Reach No. 07120006-001/on; unnamed tributary to Little Dry Fork, Reach No. 05120115-001/off; unnamed tributary to Melvina Ditch, Reach No. 07120004-008/off; Buffalo Creek, Reach No. 07120004-011/off; unnamed tributary to Illinois River, Reach No. 07120003-003/off; unnamed ditch to North Branch Chicago River, Reach No. 07120003-003/off; Piles Fork, Reach No. 07140106-003/on; Midlothian Creek, Reach No. 07090003-006/off; unnamed tributary to South Fork Kent Creek, Reach No. 07090005-016/off; Addison Creek, Reach No. 07120004-011/off; Diamond Lake Drain, Reach No. 07120004-011/off; unnamed tributary to the Little Kabash River, Reach No. 05120114-012/off; McDonard Creek, Reach No. 07120004-011/off; Genesee Creek, Reach No. 07090007-001/off; unnamed tributary Long Creek, Reach No. 07130010-035/off; tributary Bear Creek, Reach No. 05140204-013/off; Lake Arlington, Reach No. 07120003-003/off; West Fork North Branch Chicago River, Reach No. 07140203-014/off; unnamed tributary to Black Creek, Reach No. 07140203-014/off; Stony Creek, Reach No. 07120003-003/off; unnamed tributary to South Fork Seneca Creek, Reach No. 07080104-015/off; North Branch Chicago River, Reach No. 07120003-003/off; Kickapoo Creek, Reach No. 06120110-025/off; 07130009-012/off; unnamed tributary to Saginaw River, Reach No. 05120111-001/off; and Saginaw River, Reach No. 07120004-016/off; Rock Creek, Reach No. 07130004-002/off; Drummer Creek into Saginaw River, Reach No. 07130006-016/off; drainage to DesPlaines River, Reach No. 07120006-012/off; drainage to Sangamon River, Reach No. 07130006-004/off; drainage to North Branch of Chicago River, Reach No. 07120003-002/off; Illinois River, Reach No. 07130001-001 on.

acute criterion: o-Xylene = 187 ug/l; p-Xylene = 552 ug/l;
combined Xylenes = 1,500 ug/l

chronic criterion: o-Xylene = 15 ug/l; p-Xylene = 22 ug/l;
combined Xylenes = 117 ug/l

For additional information concerning these criteria or the derivation process used in generating them, please contact:

Bob Mosher
Illinois Environmental Protection Agency
Division of Water Pollution Control
2200 Churchill Road
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-3362

DEPARTMENT OF CORRECTIONS

REQUEST FOR EXPEDITED CORRECTION

Heading of the Part: Rights and Privileges

Code Citation: 20 Ill. Adm. Code 525

Publication of Rulemaking Requiring Correction: February 5, 1993; 17 Ill. Reg. 1666

Section Numbers: Peremptory Action

525-140 Amendment

Reason(s) for Expedited Correction:

X Nonsubstantive errors.

- An unintentional discrepancy between adopted rule text and text pre in the Illinois Register or second notice rule text.

- Discrepancies between adopted rule text and agreements certificate Committee during the second notice period.

6) Rational for Expedited Correction:

Clarifications to the first sentence of Section 525.140(k) were unintentionally omitted from the original rulemaking. While the prohibition on receipt of catalogs was deleted, the clarifying language to allow receipt of catalogs was not added. Public notice is not being unduly circumvented as the original amendment was adopted by peremptory rulemaking. The language being corrected is required as a result of a Court Order entered in Isaac Green v Peters, #71 C 1403, N. B. 111, 1992. A copy of this Court Order was previously submitted to Joint Committee for its staff review of the peremptory action. Opposing counsel detected the error and requested the correction. Upon approval of the Joint Committee, the corrected language will be distributed to all persons who normally receive Department Rules.

7) Effective Date requested by Agency: Date of Correction January 22, 1993

8) Name of the Person who will Respond to Joint Committee Questions Regarding the Expedited Correction:

Name: David C. Watkins, Deputy Director
Address: 1301 Concordia Court
P. O. Box 4902
Illinois 62708-4902
Telephone: 217/522-2666, extension 5502

7) Correct Text of Affected Section(s):

DEPARTMENT OF CORRECTIONS

DEPARTMENT OF CORRECTIONS

REQUEST FOR EXPEDITED CORRECTION

REQUEST FOR EXPEDITED CORRECTION

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT
CHAPTER 12: DEPARTMENT OF CORRECTIONS

SUBCHAPTER C: OPERATIONS

PART 525

RIGHTS AND PRIVILEGES

SUBPART A: VISITATION

Section	Applicability
525.10	Definitions
525.12	Responsibilities
525.15	Visiting Privileges
525.20	Clergy Visitation
525.30	Attorney Visitation - Adult and Community Services Divisions
525.40	Attorney Visitation - Juvenile Division (Court Agreement)
525.50	Restriction of Visitors
525.60	

SUBPART B: MAIL AND TELEPHONE CALLS

Section	Applicability
525.100	Definitions
525.115	Responsibilities
525.120	Processing of Mail
525.130	Outgoing Mail
525.140	Incoming Mail
525.150	Telephone Privileges

SUBPART C: PUBLICATIONS

Section	Applicability
525.200	Definitions
525.202	Responsibilities
525.210	General Guidelines
525.220	Publications Review Committee
525.230	Appeal Process for Non-approved Publications

SUBPART D: MARRIAGE OF COMMITTED PERSONS

Section	Applicability
525.300	Definitions
525.302	Responsibilities
525.305	Request for Permission to Marry
525.310	

AUTHORITY: Implementing Sections 3-2-2(d) and (i), 3-7-1, 3-7-2, 3-7-4, 3-8-7

and 3-10-8 of the Unified Code of Corrections (730 ILCS 5/3-2-2, 3-7-1, 3-7-2, 3-7-4, 3-8-7, and 3-10-8 (1991), formerly Ill. Rev. Stat. 1991, ch. 38, pars. 1003-2-2(a) and (i), 1003-7-1, 1003-7-2, 1003-7-4, 1003-8-7 and 1003-10-8) and Section 1-3(9) of the Juvenile Court Act of 1987 (705 ILCS 405/1-3 (1992), formerly Ill. Rev. Stat. 1991, ch. 37, par. 801-3(9)) and authorized by Sections 3-2-2, 3-7-1, and 3-7-4 of the Unified Code of Corrections (730 ILCS 5/3-2-2, 3-7-1, and 3-7-4 (1992), formerly Ill. Rev. Stat. 1991, ch. 38, pars. 1003-2-2, 1003-7-1, and 1003-7-4). Subparts A and C are also implementing Consent Decrees (Fillman vs. Rowe, #77 C 1008, N.D. Ill., 1977 and Green vs. Sielaff, #71 C 1403, N.D. Ill., 1973 and amended 1976).

SOURCE: Adopted at 8 Ill. Reg. 14598, effective August 1, 1984; amended at 9 Ill. Reg. 10728, effective August 1, 1985; amended at 11 Ill. Reg. 16134, effective November 1, 1987; amended at 12 Ill. Reg. 9664, effective July 1, 1988; amended at 14 Ill. Reg. 5114, effective April 1, 1990; amended at 14 Ill. Reg. 19875, effective December 1, 1990; emergency amendment at 16 Ill. Reg. 3583, effective February 20, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 10495, effective July 1, 1992; peremptory amendment at 17 Ill. Reg. 1466, effective January 22, 1993; expedited correction at 17 Ill. Reg. 9150, June 7, 1993.

Section 525-140 Incoming Mail

- Incoming privileged mail must be clearly marked as "privileged" and be clearly marked with the name, title and address of the sender.
- Incoming privileged mail may be opened in the presence of the committed person to whom it is addressed to inspect for contraband, to verify the identity of the sender, and to determine that nothing other than legal or official matter is enclosed.
- Incoming privileged mail may contain communications only from the privileged correspondent whose name and address appear on the envelope. If non-privileged material or correspondence from a third party is found to be enclosed, such material shall be treated as non-privileged mail.
- All incoming non-privileged mail, including mail from clerks of courts, shall be opened and inspected for contraband.
- Cashier's checks, money orders and business checks subject to the restrictions imposed by 20 Ill. Adm. Code 205 shall be deposited in the committed person's trust fund account, with a record made of the sender's name, the amount received, and the date. For purposes of this Section a business check shall mean a check written on any agency or firm's account and any check written on an employer's personal account for wages due a person assigned to the Community Services Division. The committed person shall be notified of all monies received and deposited in his trust fund account. However, all monies on non-privileged checks which exceed the limitation on the amounts (20 Ill. Adm. Code 205) shall be returned to the sender, and the committed person shall be notified.
- Personal checks and cash shall be returned to the sender, and the

DEPARTMENT OF CORRECTIONS

REQUEST FOR EXPEDITED CORRECTION

- sender shall be notified that funds cannot be received in that form.
- g) Correctional officials may spot check and read incoming non-privileged mail. Incoming mail or portions thereof may be inspected, reproduced, or withheld from delivery for any of the reasons listed in Section 525.130(h) of this Subpart or if determined to be obscene by the Publications Review Committee in accordance with Subpart C of this Part.
- h) When a committed person is prohibited from receiving a letter or portions thereof, the committed person and the sender shall be notified in writing of the decision.
- i) If a committed person has been transferred or released, first class mail shall be forwarded to him if his address is known. If no forwarding address is available, the mail shall be returned to the sender.
- j) If a committed person has been absent from the facility on a furlough or pursuant to writ, his mail shall be held at the facility for a period of one month, unless the committed person has made a written request to the Chief Administrative Officer to have his mail forwarded to another address. At the expiration of the month, first class mail shall be forwarded to the committed person's address, if known, or returned to the sender, unless alternative arrangements have been made.
- k) Committed persons may receive publications including books, and periodicals and catalogs in accordance with Subpart C of this Part, and may receive manual typewriters ordered directly from a supplier through the commissary. Other packages may be received only as approved by the Chief Administrative Officer. The contents of all packages other than packages sent from pre-approved vendors, including packages containing books and periodicals, must be clearly listed on the outside of the package. Packages which do not contain a description of the contents shall be returned to the sender. All packages shall be opened and searched prior to delivery.

(Source: Expedited correction at 17 Ill. Reg. 9150, effective June 7, 1993.)

ILLINOIS REGISTER

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of June 2, 1993 through June 8, 1993, and have been scheduled for review by the Committee at its June 15, 1993 meeting or July 20, 1993 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Office Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
7/16/93	Auditor General, Americans With Disabilities Act Grievance Procedure (4 Ill Adm Code 1125)	4/9/93 17 Ill Reg 4523	6/15/93
7/16/93	Criminal Justice Information Authority, Americans With Disabilities Act Grievance Procedure (4 Ill Adm Code 150)	2/5/93 17 Ill Reg 1263	6/15/93
7/16/93	Human Rights, Procedural (56 Ill Adm Code 2520)	1/4/93 17 Ill Reg 10	6/15/93
7/16/93	Department of Financial Institutions, Uniform Disposition of Unclaimed Property Act (38 Ill Adm Code 180)	4/16/93 17 Ill Reg 5990	6/15/93
7/19/93	Treasurer, Smart Money Program Confidentiality Requirements (74 Ill Adm Code 730)	3/26/93 17 Ill Reg 3831	6/15/93
7/19/93	Treasurer, Americans With Disabilities Act Grievance Procedure (4 Ill Adm Code 350)	4/9/93 17 Ill Reg 5582	6/15/93
7/21/93	Department of Nuclear Safety, Radiation Inspectors and Inspections (32 Ill Adm Code 410)	12/18/92 16 Ill Reg 19473	7/20/93

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

(Page 2)

7/21/93	Department of Nuclear Safety, Use of X-Rays in the Healing Arts Including Medical, Dental, Podiatry, and Veterinary Medicine (32 Ill Adm Code 360)	12/18/92 16 Ill Reg 19493	7/20/93
7/21/93	Illinois Commerce Commission, Equipment Leases (92 Ill Adm Code 1360)	2/16/93 17 Ill Reg 1685	7/20/93
7/21/93	Department of Public Health, Illinois Plumbing Code (77 Ill Adm Code 890)	12/4/92 16 Ill Reg 18479	7/20/93
7/21/93	Department of Public Health, Repeal of Illinois Plumbing Code (77 Ill Adm Code 890)	12/4/92 16 Ill Reg 18236	7/20/93

ILLINOIS REGISTER

PROCLAMATION

93-130

CORRECTIONAL OFFICER WEEK

Whereas, through their professional supervision of convicted felons, correctional officers of the Illinois Department of Corrections enhance the safety and welfare of our citizens; and

Whereas, the men and women serving our state as correctional officers must maintain eternal vigilance, proving safe, humane, constitutional, and secure incarceration of inmates; and

Whereas, throughout their careers, these public servants must face potentially dangerous situations with swift and appropriate action; and

Whereas, correctional officers are expected to work as a team and maintain their focus while handling the innate tensions associated with their jobs; and

Whereas, these highly trained employees strive to be fair, firm, and consistent with their charges while enforcing the rules and regulations of their institutions; and

Whereas, through their tireless and often heroic actions, our correctional officers have made the Illinois Department of Corrections one of the finest prison systems in the United States;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 2, 1993 as CORRECTIONAL OFFICER WEEK in Illinois in honor of the outstanding service these men and women provide.

Issued by the Governor, April 21, 1993.
Filed with the Secretary of State June 3, 1993.

93-131

POLISH CONSTITUTION DAY

Whereas, the May 3, 1791, Polish constitution was the first liberal constitution in Europe. It was conceived at a time when most of Europe lived under the powerful and oppressive totalitarian rule of Prussia and Russia; and

Whereas, the constitution established three independent branches of government. Throughout the constitution runs a philosophy of liberty to all people, rule by the majority, and religious freedom; and

Whereas, May 3 is a national holiday for Poles and their descendants because it commemorates the bestowal of the of priceless heritage of humanitarianism, tolerance, and a democratic precept; and

Whereas, Polish Americans have contributed significantly to all aspects of our society, holding forth their deep convictions of hard work, family values, education, religion, and building for the future; and

Whereas, Polish Americans have made, and continue to make, enormous contributions to the culture, economy, and democratic political systems of Illinois; and

Whereas, thousands of Illinois Polish Americans of all ages will participate in the annual parade in Chicago, with this year's theme being "Pride in Our Polish Heritage"; and

Whereas, Grand Marshall of the parade will be Helen Szymanowicz, former vice president of the Polish National Alliance. For more than 20 years, Helen was the heart and soul of the May 3 observance; and

Whereas, the celebration will also include a brunch sponsored by the Chicago Society and a banquet sponsored by the Polish Constitution Day Parade Committee;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 3, 1993, as POLISH CONSTITUTION DAY in Illinois, and urge citizens to recognize the significance of this observance.

Issued by the Governor April 21, 1993.

Filed with the Secretary of State June 3, 1993

93-132

MICHAEL JORDAN'S RESTAURANT DAY

Whereas, Michael Jordan has become known in Illinois, throughout the country, and even internationally as a champion and off the basketball court. His prowess, showmanship, and career game-point average of 32.3 are matched only by his deep commitment to children and family through the Michael Jordan Foundation; and

Whereas, the Chicago Bulls star became the first player ever to win both regular season and National Basketball Association Finals "Most Valuable Player" awards in consecutive seasons as Chicago defeated Portland to become the fourth team in league history to win back-to-back titles in 1991 and 1992;

Whereas, Michael Jordan captured the league's scoring title for a sixth consecutive season while leading the Bulls to a franchise record 67 wins in 1991 and 1992, he has been named MVP of the NBA three times during his career, and he has won two Olympic gold medals, in 1984 and 1992; and

Whereas, the Chicago celebrity is celebrating the grand opening of his first restaurant, Michael Jordan's Restaurant, which will employ more than 130 people and bring visitors to Chicago from around the world; and

Whereas, the State of Illinois will enjoy a boost in tourism from visiting fans who want to view sports event coverage on the new restaurant six-foot-tall video wall, see Jordan's international sports memorabilia that will cover the restaurant walls, or perhaps get a glimpse while dining of the six-foot-six-inch star himself;

Therefore, I, Jim Edgar, Governor of the State of Illinois,

proclaim April 28, 1993, as MICHAEL JORDAN'S RESTAURANT DAY in Illinois and wish him well in his new business venture.

Issued by the Governor April 27, 1993.

Filed with the Secretary of State June 3, 1993.

93-133

CANDO DAY

Whereas, the health of our neighborhoods contributes significantly to the growth and prosperity of our communities; and

Whereas, revitalizing neighborhoods through economic development helps maintain jobs and promotes self-sufficiency of individuals; and

Whereas, the Chicago Association of Neighborhood Development Organizations (CANDO) promotes investment in people and businesses, capital and job retention, and opportunities for cooperation and coordination among community entities; and

Whereas, for the past 10 years, CANDO has worked diligently to promote, expand, and coordinate neighborhood revitalization efforts by neighborhood development organizations; and

Whereas, this community-based enterprise serves as a role model for economic development through its help in providing jobs and retaining industry in Chicago;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 6, 1993, as CANDO DAY in Illinois and commend the organization on its efforts to improve the economic climate of our state and the quality of life for our citizens.

Issued by the Governor April 28, 1993.

Filed with the Secretary of State June 3, 1993.

93-134

CYTOLOGY DAY

Whereas, cytotechnologists are specialists in the field of medical technology. Their primary responsibility is to examine cells to detect a variety of disease including cancer and precancerous changes; and

Whereas, these skilled professionals are called upon daily to examine various medical specimens and advise physicians, who in turn use this vital information to chart the course of treatment for their patients; and

Whereas, through the diagnostic skill of cytotechnologists, it has been possible to detect cancer in the early stages of development, greatly contributing to the chances of survival and eliminating uterine cancer as the number one cause of death in women; and

Whereas, there are only a few hundred cytotechnologists in

our state and above 9,000 nationwide; and Whereas, the Illinois Society of Cytology will join the American Society of Cytotechnology in observing National Cytotechnology Day on May 13, 1993;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 13, 1993, as CYTO TECHNOLOGY DAY in Illinois in honor of the valuable contributions cytotechnologists make to the health and well-being of our citizens.

Issued by the Governor April 28, 1993.
Filed with the Secretary of State June 3, 1993.

93-135 FRESH FRUIT AND VEGETABLE MONTH

Whereas, leading health authorities such as the U.S.. Surgeon General, the U.S.. Department of Health and Human Services, the American Heart Association, and the American Cancer Society recognize that fruits and vegetables are vital components to a healthy, balanced diet for Americans, recommending that we eat a minimum of five servings daily; and

Whereas, major studies of health and nutrition indicates that fruits and vegetables contribute significantly to the prevention of certain diseases including cancer and high blood pressure; and

Whereas, Illinois farmers raise some 25 fruit and vegetable crops for the fresh market on 33,550 acres of land. These crops had a value of \$69 million in 1992, adding to the economy of Illinois; and

Whereas, production of fruits and vegetables for the fresh market is increasing in Illinois, providing additional employment opportunities for rural residents; and

Whereas, June has been designated National Fresh Fruit and Vegetable Month by the United Fresh Fruit and Vegetable Association to promote increased awareness of the many great benefits of fresh fruits and vegetables and to increase consumption of these foods;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 1993 as FRESH FRUIT AND VEGETABLE MONTH in Illinois and encourage all citizens to strive to include at least five daily servings of fresh fruits and vegetables in their diets.

Issued by the Governor April 28, 1993.
Filed with the Secretary of State June 3, 1993.

93-136 JAMES W. COMPTON DAY

Whereas, for more than 20 years, James W. Compton has assumed the monumental task of developing and implementing programs in the areas of economic development, education, housing, and health

to improve the quality of life for all minorities and the economically disadvantaged; and

Whereas, in 1972, Jim was appointed executive director of the Chicago Urban League, a nonprofit race relations agency which works to eliminate racial discrimination and segregation. On March 22, 1978, he was elected president and chief executive officer; and

Whereas, Jim devotes his time and support to many charitable and civic committees and has served as director of numerous boards including the Chicago Area Council of Boy Scouts of America, Chicago United, the Field Museum of Natural History, Commonwealth Edison Board of Trustees, and DePaul University Board of Trustees; and

Whereas, through the years, Jim has been recognized many times for his distinguished service and leadership, receiving the United Way of Chicago Executive of the Year Award, William A. Lee Labor Civic Award, the City Colleges of Chicago Man of the Year Award, among others; and

Whereas, on May 8, Jim will be honored as Man of the Year by the Coalition for United Community Action-ORTC, Inc.. at the organization's 21st Annual Unity Testimonial Awards banquet in the Grand Ballroom of the Palmer House;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 8, 1993, as JAMES W. COMPTON DAY in Illinois.
Issued by the Governor April 28, 1993.
Filed with the Secretary of State June 3, 1993.

93-137 RP AWARENESS DAY

Whereas, Retinitis Pigmentosa (RP) is the largest source of intermally caused blindness and deaf-blindness in the world today; and

Whereas, RP is a hereditary blinding eye disease which affects more than 500,000 people in the United States, including at least 25,000 Illinoisans; and

Whereas, to help combat Retinitis Pigmentosa and allied retinal degenerative diseases, the RP Foundation Fighting Blindness seeks to raise public awareness and the coordinated strong support of scientific research for the betterment of the hundreds of thousands of people who are afflicted by this disease;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 24, 1993, as RP AWARENESS DAY in Illinois.
Issued by the Governor April 28, 1993.
Filed with the Secretary of State June 3, 1993.

93-138

AMERICAN HEART ASSOCIATION DAY

Whereas, cardiovascular disease is the number one killer in America, killing more than 930,000 people in 1990, compared with 506,000 who died from cancer and 24,000 from AIDS; and Whereas, more than 70 million Americans have one or more forms of cardiovascular disease, according to national American Heart Association estimates; and

Whereas, the mission of the American Heart Association and its affiliates is the reduction of disability and death from cardiovascular disease and stroke; and Whereas, the American Heart Association, the Illinois Heart Foundation, the American Heart Swing, at the Cuneo Museum and Gardens; and Whereas, all donations to the American Heart Association are used to support research, education, and community programs;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 19, 1993, as AMERICAN HEART ASSOCIATION DAY in Illinois in recognition of the American Heart Association's dedication to the prevention of cardiovascular disease.

Issued by the Governor April 29, 1993.
Filed with the Secretary of State June 3, 1993.

93-139

CHARLESTON AREA SENIOR CENTER DAY

Whereas, the month of May is traditionally a time to pay tribute to the indomitable spirit and strength of older Americans and to focus public attention on their needs, concerns, and accomplishments; and Whereas, the Charleston Area Senior Center, located at 720 Sixth Street, will celebrate its 15th anniversary Tuesday, May 11, 1993; and

Whereas, the Charleston Area Senior Center is committed to improving the quality of life for residents of all ages in the Charleston area and providing educational and recreational programs for older adults; and Whereas, the citizens of Charleston should respect and value the wisdom, strength, experience, and unlimited potential of the fastest growing segment of our nation's population;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 11, 1993, as CHARLESTON AREA SENIOR CENTER DAY in Illinois. I urge all Charleston area residents to join me in this special recognition of the Charleston Area Senior Center, its participants, staff, and volunteers.

Issued by the Governor April 28, 1993.
Filed with the Secretary of State June 3, 1993.

93-140

FROZEN YOGURT MONTH

Whereas, since frozen yogurt was introduced to this country more than 20 years ago, the industry has boomed here and around the world; and

Whereas, frozen yogurt has become esteemed by both the health-conscious and dieters as a delectable substitute for traditional high-calorie desserts; and Whereas, the recently proclaimed National Frozen Yogurt Month in the United States, along with the first week in June as National Frozen Yogurt Week, and the first Sunday in June as National Frozen Yogurt Day;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June as Frozen Yogurt Month in Illinois in conjunction with the national observance.
Issued by the Governor April 29, 1993.
Filed with the Secretary of State June 3, 1993.

93-141

GIRL SCOUT TROOP 222 WEEK

Whereas, members of Girl Scout Troop 222 in Urbana have willingly and eagerly volunteered their services throughout the year; and

Whereas, Girl Scout Troop 222 helped the United Way kick off its 1992-93 fund-raising drive by selling food at the Frasca Airfield Show; and

Whereas, the troop also assisted at WLRW radio's 1992 Christmas party for disadvantaged children in the Champaign-Urbana area by helping with set-up, handing out gifts of clothes and toys, and serving dinner for some 250 youngsters who attended the event; and Whereas, the troop brought scouting to six girls at the Champaign Children's Home for severely disabled youths. The scouts hold their monthly meetings at the home and work one-on-one with the residential children. The troop has waived the membership fees for the residents and have provided uniforms, supplies, badges, and ceremonial items for them; and

Whereas, Girl Scout Troop 222 earned money for these and other projects through fund-raising efforts, weekly contributions of organizational dues, and letter-writing campaigns to locate sponsors;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 12-19, 1993, as GIRL SCOUT TROOP 222 WEEK in Illinois.

Issued by the Governor April 26, 1993.
Filed with the Secretary of State June 3, 1993.

93-142

KOREAN VETERANS OF FOREIGN WARS

Whereas, the Korean Veterans of Foreign Wars is an organization of veterans from the Republic of Korea who have served in military engagements outside the Republic of Korea; and

Whereas, the Republic of Korea volunteered 312,853 military personnel to fight alongside military units of the United States during the Vietnam War; and

Whereas, during this conflict, the Republic of Korea had 4,921 military personnel killed in action; and

Whereas, Republic of Korea military personnel who volunteered to serve in the Vietnam War did so as a partial repayment for the successful participation and involvement of the United States military in the Korean War, 1950-1953; and

Whereas, the military personnel of the Republic of Korea who were involved in the Vietnam War have maintained a close relationship with the Veterans of Foreign Wars of the United States;

Whereas, the Korean Veterans of Foreign Wars will hold an annual dinner and program at the Restaurant in Chicago, Illinois, the evening of Friday, March 5, 1993;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim March 5, 1993, as a day of recognition for the members of the KOREAN VETERANS OF FOREIGN WARS and acknowledge the contribution of these military veterans of the Republic of Korea who served in the Vietnam War.

Issued by the Governor April 29, 1993.

Filed with the Secretary of State June 3, 1993.

93-143

MATTOON AREA SENIOR CENTER DAY

Whereas, the month of May is traditionally a time to pay tribute to the indomitable spirit and strength of older Americans, and to focus public attention on their needs, concerns, and accomplishments; and

Whereas, the Mattoon Area Senior Center, located at 204 South 21st Street, will celebrate its 13th anniversary Monday, May 10, 1993; and

Whereas, the Mattoon Area Senior Center is committed to improving the quality of life for residents of all ages in the Mattoon area and providing educational and recreational programs for older adults; and

Whereas, the citizens of Mattoon should respect and value the wisdom, strength, experience, and unlimited potential of the fastest aging segment of our nation's population;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 10, 1993, as MATTOON AREA SENIOR CENTER DAY in

ILLINOIS REGISTER

Illinois. I urge all Mattoon area residents to join me in this special recognition of the Mattoon Area Senior Center, its participants, staff, and volunteers.

Issued by the Governor April 29, 1993.

Filed with the Secretary of State June 3, 1993.

93-144

MOTHER'S DAY

Whereas, mothers are the backbone of the family and the home, and now more than ever, they are serving their communities in a variety of fields that contribute to the public welfare and the prosperity of the nation; and

Whereas, mothers teach and inspire their children about the importance of moral ethics, the fundamental laws governing true integration and unity, and the countless values of the civic virtues that are the requisites of a good citizen; and

Whereas, Mother's Day, traditionally held on the second Sunday in May, presents us with a special opportunity to demonstrate our appreciation of our mothers for their influence on us and our society as a whole;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 9, 1993, as MOTHER'S DAY in Illinois.

Issued by the Governor April 29, 1993.

Filed with the Secretary of State June 3, 1993.

93-145

ILLINOIS DERBY DAY

Whereas, the Illinois Derby is one of the Midwest's premier races for members of thoroughbred racing's "glamour division"; and

Whereas, the 1 1/8-mile event for 3-year-olds will be held on closing day, May 8, at Sportsman's Park in Chicago, the site of the Illinois Derby since 1963; and

Whereas, Sportsman's Park, celebrating its 61st anniversary this year, expects a record crowd of more than 20,000 on Derby Day; and

Whereas, Hall of Fame jockeys and trainers with some of the fastest horses in the world have participated in the Illinois Derby for a purse that has grown from \$25,000 to \$500,000 since it was inaugurated at Old Aurora in 1923;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 8 as ILLINOIS DERBY DAY and recognize the economic and recreational importance of this event to Chicago and our state.

Issued by the Governor April 30, 1993.

Filed with the Secretary of State June 3, 1993.

93-146

PAUL M. HARMON JR. DAY

Whereas, Paul M. Harmon Jr. has served as mayor for the town of Normal since 1985, as trustee from 1976 to 1985, and as a planning commission member from 1972 to 1976; and

Whereas, as mayor, Paul made a lasting contribution to the quality of life in Normal by initiating and supporting many new programs and projects in areas such as historic preservation, community fine arts programming, long range community planning, capital project financing, recreational facilities and programs, intergovernmental relations, community beautification, and economic development; and

Whereas, during his 21 years of public service, Paul has established and maintained a standard of excellence and integrity in public office that will guide future office holders; and

Whereas, it is fitting and proper to honor Paul for his lasting contributions to the Normal community;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 4, 1993, as PAUL M. HARMON JR. DAY. I urge all local government officials to recognize his commitment to excellence and integrity in local government service.

Issued by the Governor April 30, 1993.
Filed with the Secretary of State June 3, 1993.

THIS PAGE LEFT BLANK INTENTIONALLY

ACTION CODES	
A - Adopted Rule	P - Proposed Rule
AR - Adopted Repealer	PF - Prohibited Filing Order by JCAR*
C - Notice of Corrections	PP - Peremptory or Court Ordered Rules
CC - Codification Changes	PR - Proposed Repealer
E - Emergency Rule	R - Refusal to meet JCAR Objection
ER - Emergency Repealer	RC - Statement of Recommendation
M - Modification to meet JCAR objections	S - Suspension ordered by JCAR
O - JCAR Statement of Objections	W - Withdrawal to meet JCAR Objections
RO - Request for Correction	
EC - Expedited Corrections	

*Joint Committee on Administrative Rules

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-2786.

ABANDONED MINED LANDS RECLAMATION COUNCIL

4 III. Adm. Code 1000 Americans With Disabilities Act Grievance Procedure (A-2009/92; CC-1673)

AGING, DEPARTMENT ON

89 III. Adm. Code 240 Community Care Program (P-12251/92; A-224) (P-15203/92; A-6090)
89 III. Adm. Code 220 General Programmatic Requirements (P-883; A-8472) (E-1179)

AGRICULTURE, DEPARTMENT OF

8 III. Adm. Code 550 Americans With Disabilities Act Grievance Procedure (A-11744/92; CC-1673)
8 III. Adm. Code 65 Food & Drug Products Act (P-527; A-6749)
8 III. Adm. Code 115 III. Pesticides Control Act (E-5906) (P-6373)
8 III. Adm. Code 256 Livestock Wash Water & Rinsate Collection (P-14975/92; A-2189)
8 III. Adm. Code 125 Meat & Poultry Inspection Act (PP-2063)
8 III. Adm. Code 125 Standardbred & Thoroughbred Horse Breeding & Racing Programs, III. (P-8347)
8 III. Adm. Code 750 Sustainable Agriculture (P-1251; A-6965)
8 III. Adm. Code 105 Swine Disease Control & Eradication Act (E-5910) (P-6377)

ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF

4 III. Adm. Code 500 Americans With Disabilities Act Grievance Procedure (A-11426/92; CC-1673)
77 III. Adm. Code 2090 Substance Alcoholism & Substance Abuse Treatment Services (P-8599)

ATTORNEY GENERAL

4 III. Adm. Code 125 Americans With Disabilities Act Grievance Procedure (P-2283/92; A-1811)

AUDITOR GENERAL

4 III. Adm. Code 1125 Americans With Disabilities Act Grievance Procedure (P-4523)

BANKS AND TRUST COMPANIES, COMMISSIONER OF

4 III. Adm. Code 375 Americans With Disabilities Act Grievance Procedure (A-15976/92; CC-1673)

CAPITAL DEVELOPMENT BOARD

4 III. Adm. Code 725 Americans With Disabilities Act Grievance Procedure (A-11432/92; CC-1673)
71 III. Adm. Code 500 Abolition Abatement Authority Act Procedures (P-3917)

CARNIVAL-AMUSEMENT SAFETY BOARD

56 III. Adm. Code 6000 Carnival & Amusement Ride Inspection Law (P-3922)

CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF

44 III. Adm. Code 5000 Acquisition, Management & Disposal of Real Property (P-11378/92; A-1006)
(P-2105) (E-2346)

80 III. Adm. Code 303 Conditions of Employment (P-19285/92; A-5587)

80 III. Adm. Code 2160 Local Government Health Plan (P-3577)

80 III. Adm. Code 302 Merit & Fitness (P-17187/92; A-3169)

80 III. Adm. Code 310 Pay Plan (P-191; C-672) (P-13679/92; A-238) (PP-498) (P-13179/92; A-590)

(P-14001/92; A-1819) (P-18139/92; A-6441) (P-7605)

Solicitation for Charitable Payroll Deductions (P-2449)

80 III. Adm. Code 2650 Standard Procurement (P-12808/92; A-600) (P-3926)

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF

89 III. Adm. Code 304 Access to & Eligibility for Child Welfare Services (P-7545/92; A-251)

89 III. Adm. Code 336 Appeal of Child Abuse & Neglect Investigation Findings (P-7963/92; A-1026)

89 III. Adm. Code 434 Audits, Reviews & Investigations (P-7115)

89 III. Adm. Code 330 Child Custody Investigations & Supervision Related to Custodian or Visitation Judgments (P-1259)

89 III. Adm. Code 377 Facilities & Programs Exempt from Licensure (P-7553/92; A-259)

89 III. Adm. Code 354 Facility Amusement Funds (PR-8099)

89 III. Adm. Code 402 Licensing Standards for Foster Family Homes (P-11707/92; A-267)

89 III. Adm. Code 378 Multiple Licensure (PR-7561/92; AR-272)

89 III. Adm. Code 335 Relative Home Placement (P-6681)

89 III. Adm. Code 309 Review & Appeal Process (PR-7982/92; AR-1044)

89 III. Adm. Code 337 Service Appeal Process (P-7999/92; A-1046)

89 III. Adm. Code 302 Standards Delivered by the Department (P-7565/92; A-274) (P-2460) (E-2513)

89 III. Adm. Code 376 Standards for Department Facilities (PR-8104)

Vol. 17, Issue #25	ILLINOIS REGISTER CUMULATIVE INDEX	June 18, 1993
COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF		
4 III. Adm. Code 275	Americans With Disabilities Act Grievance Procedure (A-1462/92; CC-1673)	
47 III. Adm. Code 125	Emergency Community Services Homes Grant Program (P-18879/92; A-6180)	
14 III. Adm. Code 520	Enterprise Zone Program (P-1369/92; A-1837)	
47 III. Adm. Code 100	Low Income Home Energy Assistance Program (P-16707/92; A-3836)	
56 III. Adm. Code 2600	Service Delivery System & State Responsibilities (P-17120/92; A-6483)	
1 III. Adm. Code 300	Small Business Impact Analysis Procedures (P-11391/92; A-1511)	
47 III. Adm. Code 130	State Administration of the Ill. Neighborhood Corps Program (PR-1; A-7212)	
COMMERCE COMMISSION, ILLINOIS		
92 III. Adm. Code 1376	Accounting & Financial Record Requirements (P-8630)	
4 III. Adm. Code 400	Americans With Disabilities Act Grievance Procedure (A-12439/92; CC-1673)	
83 III. Adm. Code 305	Construction of Electric Power & Communication Lines (P-2462)	
83 III. Adm. Code 356	Dual Party Relay Service (P-14004/92; A-1848)	
92 III. Adm. Code 1360	Equipment Leases (P-1685)	
83 III. Adm. Code 590	Minimum Safety Standards for Transportation of Gas & For Gas Pipeline Facilities (P-2466)	
83 III. Adm. Code 255	Notice Requirements for Change in Rates for Cooling, Electric, Gas, Heating, Telecommunications, Sewer or Water Services (P-13703/92; A-798)	
83 III. Adm. Code 315	Pole Attachment Rates, Terms & Conditions Applicable to Cable Television Companies & Electric & Telephone Public Utilities (P-202)	
83 III. Adm. Code 280	Procedures for Gas, Electric, Water & Sanitary Sewer Utilities Governing Eligibility for Service, Deposits, Payment Practices & Discontinuance of Service (P-12810/92; A-805) (P-6382)	
83 III. Adm. Code 735	Procedures Governing the Establishment of Credit, Billing, Termination of Service & Issuance of Telephone Directories for Telephone Utilities in the State of Ill. (G.O. #215) (P-6386)	
83 III. Adm. Code 275	Procedural Practices of Electric & Gas Public Utilities (P-8269/92; A-98; RQ-2075; EC-3902)	
83 III. Adm. Code 755	Telephone Communications Access for the Hearing & Voice Impaired (P-16709/92; A-5894)	
92 III. Adm. Code 1375	Uniform System of Accounts (P-8635)	
COMMUNITY COLLEGE BOARD, ILLINOIS		
23 III. Adm. Code 1501	Administration of the Ill. Public Community College Act (P-12274/92; A1853) (P-6686)	
4 III. Adm. Code 1050	Americans With Disabilities Act Grievance Procedure (P-17399/92; A-4185)	
2 III. Adm. Code 5176	Public Access to Information (CC-6903)	
2 III. Adm. Code 5175	Public Information, Rulemaking and Organization (CC-6904)	
47 III. Adm. Code 700	By-Laws (P-4530)	
COMMUNITY DEVELOPMENT FINANCE CORPORATION, ILLINOIS		
4 III. Adm. Code 715	Americans with Disabilities Act Grievance Procedure (P-13710/92; A-6499)	
COMPTROLLER		
4 III. Adm. Code 715	Americans with Disabilities Act Grievance Procedure (P-13710/92; A-6499)	
CONSERVATION, DEPARTMENT OF		
17 III. Adm. Code 530	Cock Pheasant, Hungarian Partridge, Bobwhite Quail, Rabbit & Crow Hunting (P-7118)	
17 III. Adm. Code 830	Commercial Fishing & Musseling in Certain Waters of the State (P-17405/92; A-3177)	
17 III. Adm. Code 950	Dog Training on Department-Owned or -Managed Sites (P-6390)	
17 III. Adm. Code 790	Duck, Goose & Coot Hunting (E-1658) (4554)	
17 III. Adm. Code 530	Forestry Development Cost-Share Program (P-8107)	
17 III. Adm. Code 516	General Hunting & Trapping on Department-Owned or -Managed Sites (P-4601)	
17 III. Adm. Code 510	III. List of Endangered & Threatened Flora (P-4608)	
17 III. Adm. Code 570	Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Beaver & Woodchuck (Groundhog) Trapping (P-4611)	
17 III. Adm. Code 220	North Point Marina (P-19939/92; A-6760)	
17 III. Adm. Code 550	Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote & Woodchuck (Groundhog) Hunting (P-4622)	
17 III. Adm. Code 810	Sport Fishing Regulations for the Waters of Ill. (P-17414/92; A-3853; E-5915) (P-4636)	
17 III. Adm. Code 690	Squirrel Hunting (P-4672)	
17 III. Adm. Code 720	Taking of Wild Turkeys-Fall Archery Season, The (P-15260/92; A-281) (P-4680)	
17 III. Adm. Code 715	Taking of Wild Turkeys-Fall Gun Season (P-4689)	
17 III. Adm. Code 710	Taking of Wild Turkeys-Spring Season, The (P-18181/92; A-3184)	
17 III. Adm. Code 670	White-Tailed Deer Hunting by Use of Bow and Arrow (P-15265/92; A-2386) (P-4698)	
17 III. Adm. Code 650	White-Tailed Deer Hunting by Use of Firearms (P-4718)	
17 III. Adm. Code 660	White-Tailed Deer Hunting Season by Use of Muzzleloading Rifles (P-4742)	
17 III. Adm. Code 740	Woodchuck, Snipe, Rail & Teal Hunting (P-4757)	
CORRECTIONS, DEPARTMENT OF		
20 III. Adm. Code 440	Advocacy Services (PR-16371/92; AR-1519)	
4 III. Adm. Code 475	American With Disabilities Act Grievance Procedure (A-10423/92; CC-1673)	
20 III. Adm. Code 525	Rights & Privileges (PR-1666; RQ-9150) (P-8069)	
20 III. Adm. Code 502	Safety, Maintenance & Sanitation (P-6394)	
20 III. Adm. Code 501	Security (P-8396)	
CRIMINAL JUSTICE INFORMATION AUTHORITY		
4 III. Adm. Code 150	Americans With Disabilities Act Grievance Procedure (P-1263)	
DEVELOPMENT FINANCE AUTHORITY, ILLINOIS		
14 III. Adm. Code 1230	Employee Ownership Assistance Program (P-92722/92; A-1859)	
EDUCATIONAL FACILITIES AUTHORITY, ILLINOIS		
23 III. Adm. Code 2310	Functions & Planning Program (P-1691)	
EDUCATION, STATE BOARD OF		
23 III. Adm. Code 1	Public Schools Evaluation, Recognition & Supervision (P-8684/92; A-18010/92; EC-3553)	
23 III. Adm. Code 228	Transitional Bilingual Education (P-9253/92; A-104)	

EMPLOYMENT SECURITY, DEPARTMENT OF
4 III. Adm. Code 1025
Americans With Disabilities Act Grievance Procedure (P-13188/92; A-8802)
56 III. Adm. Code 2865
Claimant's Availability For Work, Ability To Work & Active Search For Work (P-6907)
56 III. Adm. Code 2840
Claimant's Reason For Separation From Work (P-886) (P-8403)
56 III. Adm. Code 2720
Claims, Adjudication, Appeals & Hearings (P-6919)
56 III. Adm. Code 2770
Determination of Unemployment Contributions (P-15625/92; A-295)
56 III. Adm. Code 2732
Employment (P-211; A-8809) (P-5985)
56 III. Adm. Code 2712
General Application (P-17853/92; A-3194)
56 III. Adm. Code 2765
Payment of Unemployment Contributions, Interest & Penalties (P-12006/92; A-308) (P-15638/92; A-614) (P-2523)

ENVIRONMENTAL PROTECTION AGENCY
4 III. Adm. Code 925
Americans With Disabilities Act Grievance Procedure (P-10334/92; A-8162)
35 III. Adm. Code 254
Annual Emissions Report (P-17195/92; A-7782)
35 III. Adm. Code 838
Procedures for Operation of the Non-Hazardous Solid Waste Fee System (P-4621/92; A-4190)
35 III. Adm. Code 876
Processing of Claims for Payment from the Underground Storage Tank Fund (E-16191/92; O-18856/92; RC-18857/92; M-2438)
35 III. Adm. Code 320
Permit Fees for Installing or Extending Sewers (P-2469)
35 III. Adm. Code 320
Permit Fees for Installing or Extending Sewers (P-2469)

FARM DEVELOPMENT AUTHORITY, ILLINOIS
8 III. Adm. Code 1400
III. Farm Development Authority (P-8297/92; A-3618) (P-3956)

FINANCIAL INSTITUTIONS, DEPARTMENT OF
38 III. Adm. Code 190
III. Credit Union Act (P-6599)
38 III. Adm. Code 130
Schedules of Maximum Rates to be Charged for Check Cashing & Writing of Money Orders by Community & Ambulatory Currency Exchanges (P-6925)
38 III. Adm. Code 180
Uniform Disposition of Unclaimed Property Act (P-14006/92; A-123) (P-5590) (E-4521)

FIRE MARSHAL, OFFICE OF THE STATE
41 III. Adm. Code 200
Americans With Disabilities Act Grievance Procedure (P-1954/92; A-2200)
41 III. Adm. Code 280
Fire Equipment Administration Procedures (P-15665/92; A-7214)
41 III. Adm. Code 100
Fire Prevention & Safety (P-15681/92; PF-8083)
41 III. Adm. Code 170
Storage, Transportation, Sale & Use of Petroleum & Other Regulated Substances (E-1186)
HEALTH CARE COST CONTAINMENT COUNCIL, ILLINOIS
77 III. Adm. Code 2510
Data Collection (P-1695) (E-2031)
HEALTH FACILITIES PLANNING BOARD, ILLINOIS
77 III. Adm. Code 1235
Health Care Worker Self-Referral (E-432; O-3056) (P-683)
HEARING AID CONSUMER PROTECTION BOARD
77 III. Adm. Code 3000
Hearing Aid Protection Continuing Education Requirements (P-13463/92; A-8817)

HIGHER EDUCATION, BOARD OF
4 III. Adm. Code 975
Americans With Disabilities Act Grievance Procedure (A-19806/92; CC-1673)
HISTORIC PRESERVATION AGENCY, ILLINOIS
17 III. Adm. Code 4180
Rules for Review of State Agency Undertakings (P-13718/92; A-1521)
HOUSING DEVELOPMENT AUTHORITY, ILLINOIS
4 III. Adm. Code 700
Americans With Disabilities Act Grievance Procedure (P-15684/92; A-6507)
47 III. Adm. Code 370
National Affordable Housing Act (HOME) Program (P-11713/92; A-319)
HUMAN RIGHTS, DEPARTMENT OF
56 III. Adm. Code 2520
Procedural (P-10)
INDUSTRIAL COMMISSION, ILLINOIS
4 III. Adm. Code 225
Americans With Disabilities Grievance Procedure (P-7749/92; A-2945)
50 III. Adm. Code 7020
Pre-Arbitration (P14511/92; A-2206)
INSURANCE, DEPARTMENT OF
50 III. Adm. Code 1408
Actuarial Opinion & Memorandum (P-8735/92; A-4195)
50 III. Adm. Code 920
Actuarial Qualification (PR-2530)
50 III. Adm. Code 927
Anticipated Salvage & Subrogation Recoverable (P-2106)
50 III. Adm. Code 932
Automobile Anti-Theft Mechanisms (P-7779/92; O-1240; M-6893; A-6768)
50 III. Adm. Code 1250
Corrective Orders (P-3985)
50 III. Adm. Code 805
Financial Futures Contracts (P-42; A-6775) (E-154)
50 III. Adm. Code 2013
Group Coverage Discontinuance & Replacement (P-10375/92; A-1525)
50 III. Adm. Code 2015
Internal Security Standard & Fidelity Bonds (P-3993)
50 III. Adm. Code 904
Life Insurance Agreements (P-8411)
50 III. Adm. Code 1103
Medical Liability Insurance Loss Reports (P-4768)
50 III. Adm. Code 939
Purchasing & Selling Call & Put Options Contracts (P-44; A-6783) (E-163)
50 III. Adm. Code 802
Required Procedure for Filing & Securing Approval of Life Insurance, Annuity, & Accident & Health Insurance Policy Forms; (P-3952)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
1 III. Adm. Code 260
Complaint Review (CC-5960)
1 III. Adm. Code 245
Expanded Corrections (CC-5962)
1 III. Adm. Code 250
Fire-Yeti Exclusion of all Existing Rules (CC-5964)
1 III. Adm. Code 210
General Policies (CC-5965)
1 III. Adm. Code 230
Review of Emergency Rulemaking (CC-5967)
1 III. Adm. Code 240
Review of Preliminary Rulemaking (CC-5969)
1 III. Adm. Code 220
Review of Proposed Rulemaking (CC-5971)

LABOR, DEPARTMENT OF
56 III. Adm. Code 350
Health & Safety (P-3780/92; O-180; R-1239; A-1074) (E-7072)

LABOR RELATIONS BOARD, ILLINOIS STATE/ILLINOIS LOCAL

- 80 III. Adm. Code 1200 General Procedures (P-3703)
- 80 III. Adm. Code 1210 Impasse Resolution (P-3718)
- 80 III. Adm. Code 1210 Representation Proceedings (P-3734)
- 80 III. Adm. Code 1220 Unfair Labor Practice Proceedings (P-3755)

LOTTERY, DEPARTMENT OF THE

- 11 III. Adm. Code 1770 Lottery (General) (P-16738/92; C-8074)

MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES, DEPARTMENT OF

- 59 III. Adm. Code 122 Certification Under Medicaid Rehabilitation Option for Early Intervention Programs (P-15691/92; RC-3688; A-426)
- 59 III. Adm. Code 121 Early Intervention Program (P-15715/92; RC-3689; A-4261)
- 59 III. Adm. Code 119 Minimum Standards for Certification of Developmental Training Programs (P-4397)

MINES AND MINERALS, DEPARTMENT OF

- 62 III. Adm. Code 240 III. Oil & Gas Act, The (E-1195) (P-13722/92; A-2217) (P-3771)
- 44 III. Adm. Code 610 Plugging & Restoration Contracts (P-1697; A-8176)

NUCLEAR SAFETY, DEPARTMENT OF

- 32 III. Adm. Code 310 General Provisions (P-3787)
- 32 III. Adm. Code 400 Notices, Instructions & Reports to Workers; Inspections (P-8655)
- 32 III. Adm. Code 390 Particle Accelerators (P-3666)
- 32 III. Adm. Code 351 Radiation Safety Requirements for Wireline Service Operations & Subsurface Tracer Studies (P-8674)
- 32 III. Adm. Code 320 Registration of Radioactive Materials, Radiation Machine, & Radiation Installation (P-8693)
- 32 III. Adm. Code 340 Standards for Protection Against Radiation (PR-3997) (P-4070)
- 32 III. Adm. Code 335 Use of Radionuclides in the Healing Arts (E-9099)

POLLUTION CONTROL BOARD

- 35 III. Adm. Code 211 Definitions & General Provisions (P-4782)
- 35 III. Adm. Code 1422 Design & Operation of Facilities (P-20002/92; O-8084)
- 35 III. Adm. Code 615 Existing Activities in A S setback Zone or Regulated Recharge Area (P-16465/92; A-1871)
- 35 III. Adm. Code 604 Finished Water & Raw Water Quality & Quantity (PR-7621)
- 35 III. Adm. Code 738 Hazardous Waste Injection Restrictions (P-16770/92; A-6190) (P-8423)
- 35 III. Adm. Code 720 Hazardous Waste Management System (P-16776/92; A-5625)
- 35 III. Adm. Code 721 Identification & Listing of Hazardous Waste (P-16801/92; A-5650)
- 35 III. Adm. Code 725 Interim Status Standards for Owners & Operators of Hazardous Waste Treatment, Storage & Disposal Facilities (P-16831/92; A-5681)
- 35 III. Adm. Code 728 Land Disposal Restrictions (P-16878/92; A-5777)
- 35 III. Adm. Code 203 Major Stationary Sources Construction & Modification (P-4898) (P-18919/92; A-6973)
- 35 III. Adm. Code 616 New Activities in A S setback Zone or Regulated Recharge Area (P-16473/92; A-1878)

POLLUTION CONTROL BOARD (CONT'D)

- 35 III. Adm. Code 218 Organic Material Emission Standards & Limitations for the Chicago Area (P-4905; C-6520)
- 35 III. Adm. Code 219 Organic Material Emission Standards & Limitations for the Metro East Area (P-5169; C-6539) (E-8295)
- 35 III. Adm. Code 611 Primary Drinking Water Standards (P-2533; A-7796) (P-7629)
- 35 III. Adm. Code 702 RCRA & UIC Permit Programs (P-16924/92; A-5769)
- 35 III. Adm. Code 703 RCRA Permit Program (P-16930/92; A-5774)
- 35 III. Adm. Code 605 Sampling & Monitoring (P-2682; A-7943) (P-7738)
- 35 III. Adm. Code 810 Solid Waste Disposal: General Provisions (P-8702)
- 35 III. Adm. Code 814 Standards for Existing Landfills & Units (P-8714)
- 35 III. Adm. Code 811 Standards for New Solid Waste Landfills (P-8726)
- 35 III. Adm. Code 724 Standards for Owners & Operators of Hazardous Waste Treatment, Storage & Disposal Facilities (P-16709/92; A-5806)
- 35 III. Adm. Code 726 Standards for the Management of Specific Hazardous Waste & Specific Types of Hazardous Waste Management Facilities (P-17028/92; A-5865)
- 35 III. Adm. Code 730 Underground Injection Control Operating Requirements (P-4428)

PROFESSIONAL REGULATION, DEPARTMENT OF

- 4 III. Adm. Code 275 Americans With Disabilities Act Grievance Procedure (A-7003/92; CC-1673)
- 68 III. Adm. Code 1470 Clinical Social Work & Social Work Practice Act (P-8435)
- 68 III. Adm. Code 1210 Collection Agency Act (P-16374/92; A-1535)
- 68 III. Adm. Code 1150 III. Architecture Practice Act of 1989 (P-17042/92; A-1554)
- 68 III. Adm. Code 1220 III. Dental Practice Act (P-15762/92; A-1559) (P-1705) (P-8127) (E-8309)
- 68 III. Adm. Code 1300 III. Nursing Act of 1987 (P-16848/92; A-1572)
- 68 III. Adm. Code 1340 III. Physical Therapy Act (P-8444)
- 68 III. Adm. Code 1405 III. Speech-Language Pathology & Audiology Practice Act, The (P-890)
- 68 III. Adm. Code 1310 III. Teaching Assistant Act of 1987 (P-8728)
- 68 III. Adm. Code 1320 Optician Practice Act of 1987 (P-8729)
- 68 III. Adm. Code 1240 Private Detective, Private Alarm & Private Security Act of 1983 (P-15775/92; A-1579)
- 68 III. Adm. Code 1430 Public Accounting Act (Professional Conduct) (P-4141)
- 68 III. Adm. Code 1455 Real Estate Appraiser Certification (P-15785/92; A-1589) (P-4612) (E-6668)
- 68 III. Adm. Code 1480 Structural Engineering Licensing Act of 1989, The (P-4149)

PUBLIC AID, DEPARTMENT OF

- 89 III. Adm. Code 112 Aid to Families With Dependent Children (P-46) (P-3335/92; A-357)
- (P-1338/92; A-813) (P-14522/92; A-813) (P-15277/92; A-2253)
- (P-18216/92; A-4312) (P-5436) (P-6026) (E-6325) (P-19642/92; A-6792)
- (P-7745)
- 89 III. Adm. Code 113 Aid to the Aged, Blind or Disabled (P-702; A-6804) (P-13383/92; A-827)
- (P-14959/92; A-2263) (P-14533/92; A-3202) (P-17047/92; A-4322)
- (P-17557/92; P-6804) (P-7755)
- 89 III. Adm. Code 110 Application Process (P-13207/92; A-640)
- 89 III. Adm. Code 111 Assistance Standards (P-16491/92; A-6313)
- 89 III. Adm. Code 160 Child Support Enforcement (P-8892/92; A-2272) (P-3820)
- 89 III. Adm. Code 165 Recoveries & Recoveries (P-2110; A-8187) (P-6614)
- 89 III. Adm. Code 116 Crisis Assistance (P-13764/92; A-1078)

PUBLIC AID, DEPARTMENT OF (CONT'D)	
89 III. Adm. Code 144	Developmental Disabilities Service (P-899; A-8478) (P-2477)
89 III. Adm. Code 149	Diagnosis Related Grouping (DRG) Prospective Payment System (PPS) (P-14535/92; A-3217)
89 III. Adm. Code 121	Food Stamps (P-13385/92; A-644) (P-15813/92; A-4333) (P-7165)
89 III. Adm. Code 114	General Assistance (P-13395/92; A-1091) (P-15008/92; A-2277) (P-15287/92; A-2277) (P-15810/92; A-3255) (P-14538/92; A-3639) (P-19654/92; A-6814) (P-17459/92; A-6814) (P-18226/92; A-6814)
89 III. Adm. Code 148	Hospital Services (P-10868/92; A-131) (P-14540/92; A-3296) (P-12826/92; RC-6549; A-6649) (P-6935)
89 III. Adm. Code 120	Medical Assistance Programs (P-711; A-6827) (P-14544/92; A-1102) (P-2114)
89 III. Adm. Code 140	Medical Payment (P-62; A-6839) (P-13321/92; A-837) (P-7576/92; A-1112) (P-13397/92; O-1241; R-2436; A-2290; F-3058) (P-15296/92; A-2051) (P-15049/92; A-3421) (P-12838/92; A-19146/92; RQ-4517; EC-7078)
89 III. Adm. Code 104	(P-17461/92; A-6190) (P-16495/92; A-6190) (P-17956/92; A-6190)
89 III. Adm. Code 147	Practice in Administrative Hearings (P-639) (P-17209/92; A-7004) (P-7183)
89 III. Adm. Code 147	Reimbursement for Nursing Costs for Geriatric Facilities (P-13215/92; A-1128) (P-1716; A-8486) (P-5471)
89 III. Adm. Code 117	Related Program Provisions (P-2126; A-8191) (E-2668)
89 III. Adm. Code 103	Support Responsibility of Relatives (P-14178/92; A-655)

PUBLIC COUNSEL, OFFICE OF THE	
4 III. Adm. Code 1075	Americans With Disabilities Act Grievance Procedure (P-14182/92; A-142)

PUBLIC HEALTH, DEPARTMENT OF	
77 III. Adm. Code 697	AIDS Confidentiality & Testing Code (E-1204) (P-2687)
77 III. Adm. Code 205	Antibiotic Surgical Treatment Center Licensing Requirements (P-3426/92; A-3507)
77 III. Adm. Code 665	Child Health Examination Code (P-2697)
77 III. Adm. Code 694	College Immunization Code (P-13414/92; A-2306)
77 III. Adm. Code 693	Control of Sexually Transmissible Diseases Code (E-1213) (P-2711)
77 III. Adm. Code 900	Drinking Water Standards (P-10870/92; A-4388)
77 III. Adm. Code 535	Emergency Medical Services Code (P-10911/92; A-8196)
77 III. Adm. Code 750	Food Service Sanitation Code (P-723)
77 III. Adm. Code 1235	Grade A Pasteurized Milk & Milk Products (P-206)
77 III. Adm. Code 1235	Health Care Worker Self-Referral (P-683; A-8198)
77 III. Adm. Code 1330	Health Facilities Planning Procedural Rules (P-4755/92; Q-1242)
77 III. Adm. Code 682	Hearing Aid Consumer Protection Code (P-13428/92; A-8825)
77 III. Adm. Code 250	Hospital Licensing Requirements (P-2016/92; A-1614)
77 III. Adm. Code 290	III. Drug Formulary for the Drug Product Selection Program (P-17496/92; W-7075) (P-7198) (E-7283)
77 III. Adm. Code 840	III. Health & Hazardous Substances Registry (P-4329/92; A-2319)
77 III. Adm. Code 245	III. Home Health Agency Code (P-747)
77 III. Adm. Code 540	III. Trauma Center Code (P-15023/92; A-8258)
77 III. Adm. Code 915	III. Water Well & Pump Installation Contractor's License Code, The (P-10989/92; A-4425)

PUBLIC HEALTH, DEPARTMENT OF (CONT'D)	
77 III. Adm. Code 695	Immunization Code (P-13472/92; A-2975)
77 III. Adm. Code 350	Intermediate Care for the Developmentally Disabled Facilities Code (P-4791/92; A-2351) (P-1269) (E-2373) (P-6028) (E-7948) (P-8781) (E-9105)
77 III. Adm. Code 845	Lead Poisoning Prevention Code (P-12314/92; Q-1243; M-2073; A-1884)
77 III. Adm. Code 395	Long-Term Care Assistants & Aides Training Programs Code (P-8066/92; O-A-2984)
77 III. Adm. Code 390	Long-Term Care for Under Age 22 Facilities Code (P-1296) (E-2390) (P-6044) (E-7974)
77 III. Adm. Code 785	Manufactured Child Products (P-220)
77 III. Adm. Code 630	Maternal & Child Health Services Code (P-8103/92; A-3013) (P-3069)
77 III. Adm. Code 370	Minimum Standards for the Licensure of Community Living Facilities (P-8793) (E-9117)
77 III. Adm. Code 661	Newborn Metabolic Screening & Treatment Code (P-757)
68 III. Adm. Code 750	Plumbers Licensing Code (P-15056/92; A-417)
77 III. Adm. Code 845	Prevention of Lead Poisoning (P-12314/92; O-1243)
77 III. Adm. Code 330	Sheltered Care Facilities Code (P-1331) (E-2405) (P-4059) (E-8000)
77 III. Adm. Code 300	Skilled Nursing & Intermediate Care Facilities Code (P-1346) (E-2420) (P-6074) (E-8086)

PUBLIC HEALTH/HEALTH FACILITIES PLANNING BOARD	
77 III. Adm. Code 1230	Financial & Economic Feasibility Review & Evaluation Plan (PR-5187/92; AR-5878)
77 III. Adm. Code 1240	Financial & Economic Feasibility Review & Evaluation Plan (For All Long-Term Care & Chronic Disease Facilities (PR-5225/92; AR-5880)
77 III. Adm. Code 1235	Health Care Worker Self-Referral (E-432) (P-683)
77 III. Adm. Code 1120	Health Facilities Planning Financial & Economic Feasibility Review (P-5206/92; RC-1244; A-4431)
77 III. Adm. Code 1130	Health Facilities Planning Procedural Rules (P-15321/92; A-4448) (P-4755/92; O-1242; R-5951; A-3882)
77 III. Adm. Code 1100	Narrative & Planning Policies (P-8144)
77 III. Adm. Code 1110	Processing, Classification Policies & Review Criteria (P-15328/92; A-4453) (P-8149)

RACING BOARD, ILLINOIS	
11 III. Adm. Code 1428	Admissions & Credentials (P-3593) (E-3683; O-6550)
11 III. Adm. Code 510	Churning Races (P-4155) (P-6746)
11 III. Adm. Code 1413	Entries, Subscriptions & Declarations (P-13218/92; A-1628)
11 III. Adm. Code 1411	Locks, Absorption, Ticket, Agents, & Vets (P-13172)
11 III. Adm. Code 509	Medicine (P-6955/92; A-3469)
11 III. Adm. Code 1409	Oversight, Partnership & Stable Name (P-4158)
11 III. Adm. Code 1305	Racetrack Operations & Their Duties (P-2439/92; A-3034)
11 III. Adm. Code 1424	Regulations for Meetings (P-12133/92; A-3038)
11 III. Adm. Code 205	Rules of Practice (P-3594) (E-4859; O-8085)
11 III. Adm. Code 1303	Violations (P-1728)

ILLINOIS REGISTER
CUMULATIVE INDEX

- REHABILITATIONS SERVICES, DEPARTMENT OF**
 4 III. Adm. Code 300
 Americans With Disabilities Act Grievance Procedure (A-15102/92; CC-1673)
 89 III. Adm. Code 897
 Assistive Technology for Persons with Disabilities Tax Check Off Fund (E-4886)
 89 III. Adm. Code 540
 Auxiliary Aids (P-20088/92; A-6244)
 89 III. Adm. Code 562
 Client Financial Participation (P-14189/92; A-3895)
 89 III. Adm. Code 568
 Client Responsibilities (P-2943)
 89 III. Adm. Code 567
 Comparable Benefits (P-10403/92; A-149)
 89 III. Adm. Code 565
 Confidentiality of Information (P-1731)
 89 III. Adm. Code 570
 Grants and Contracts (P-591)
 89 III. Adm. Code 574
 Illinois Vocational Rehabilitation Unit (P-10897/92; A-125)
 89 III. Adm. Code 587
 Medical, Psychological, and Related Services (P-952; W-3686)
 89 III. Adm. Code 830
 Non-Academic Progression and Policies (P-18759/92; A-6248)
 89 III. Adm. Code 830
 Non-Academic Progression and Policies (P-18759/92; A-6248)
 89 III. Adm. Code 685
 Other Client Responsibilities (P-943; A-7230)
 89 III. Adm. Code 680
 Prescreening and Eligibility Determination Processes (P-15065/92; A-3675)
 89 III. Adm. Code 690
 Rules of Conduct (P-77; A-6260)
 89 III. Adm. Code 827
 Training Services (P-1375; W-3687)
 89 III. Adm. Code 592
- RETIREMENT SYSTEM OF THE STATE OF ILLINOIS, TEACHERS'**
 Administration & Operation of the Teachers' Retirement System (P-12384/92; A-1631)
 80 III. Adm. Code 1650
- REVENUE, DEPARTMENT OF**
 86 III. Adm. Code 210
 Board of Appeals (E-665) (P-2718; C-3545; A-8860)
 86 III. Adm. Code 105
 Electronic Filing of Ill. Individual Income Tax Returns (P-219; A-7031) (E-445)
 86 III. Adm. Code 100
 Income Tax (P-222; A-8869) (E-473) (P-6619) (P-6945)
 86 III. Adm. Code 535
 Nursing Home Grant Assistance Act (P-15340/92; A-3042)
 86 III. Adm. Code 750
 Payment of Taxes by Electronic Funds Transfer (P-8450)
 86 III. Adm. Code 110
 Property Tax/Revenue Act of 1939 (P-2507)
 2 III. Adm. Code 1200
 Public Information, Rulemaking & Organization (A-7054)
 86 III. Adm. Code 130
 Retailers' Occupation Tax (P-14554/92; A-860) (P-6955) (P-8461)
 86 III. Adm. Code 530
 Senior Citizens & Disabled Persons Property Tax Relief & Pharmaceutical Assistance Act (P-3104)
 86 III. Adm. Code 150
 Use Tax (P-14563/92; A-1947)
- SAVINGS AND LOAN ASSOCIATIONS, COMMISSIONER OF**
 38 III. Adm. Code 450
 Residential Mortgage License Act of 1987 (P-17570/92; A-3513)
- SAVINGS AND RESIDENTIAL FINANCE, COMMISSIONER OF**
 38 III. Adm. Code 1000
 Ill. Savings & Loan Act of 1982 (Recodified) (A-4464)
 38 III. Adm. Code 1050
 Residential Mortgage License Act of 1987 (Recodified) (A-4475)
 38 III. Adm. Code 1075
 Savings Bank Act (P-2727; A-8894)
- SECRETARY OF STATE**
 14 III. Adm. Code 100
 Cancellation, Revocation or Suspension of Licenses or Permits (P-1747; A-8512)
 92 III. Adm. Code 1040
 (P-2128) (P-2836; A-9028)
 80 III. Adm. Code 420
 Department of Personnel (P-15342/92; A-1652)

ILLINOIS REGISTER
CUMULATIVE INDEX

- SECRETARY OF STATE (CONT'D)**
 92 III. Adm. Code 1070
 Ill. Safety Responsibility Law (P-2863; A-8517)
 92 III. Adm. Code 1030
 Issuance of Licenses (P-996; A-8275) (E-1219) (P-1752; A-8522) (P-17229/92; A-2025) (P-12138/92; A-7065)
 23 III. Adm. Code 3040
 Literacy Grant Program (P-958; A-7234)
 92 III. Adm. Code 1001
 Procedures & Standards (1758; A-8528) (E-2047) (P-19761/92; A-6274)
 14 III. Adm. Code 170
 Revised Uniform Limited Partnership Act (P-13784/92; A-427)
 1 III. Adm. Code 100
 Rulemaking (P-2867)
- SPACE NEEDS COMMISSION**
 3 III. Adm. Code 800
 Placement of Monuments, Memorials & Statues on the Capital Building Grounds (P-13828/92; A-6513)
 3 III. Adm. Code 850
 Space Utilization in the Capitol Complex (P-15832/92; A-6517)
- STATE POLICE, DEPARTMENT OF**
 20 III. Adm. Code 1230
 Firearm Owner's Identification Act (P-7768)
- STATE POLICE MERIT BOARD**
 80 III. Adm. Code 150
 Procedures of the Department of State Police Merit Board (E-17772/92; RC-181; F-5952)
- STUDENT ASSISTANCE COMMISSION, ILLINOIS**
 23 III. Adm. Code 2731
 Correctional Officers' Grant Program (P-1381)
 23 III. Adm. Code 2700
 General Provisions (P-1385)
 23 III. Adm. Code 2720
 Guaranteed Loan Programs (P-1403) (E-2055)
 23 III. Adm. Code 2730
 Ill. National Guard Grant (P-1437)
 23 III. Adm. Code 2763
 Ill. Veteran Grant (IVG) Program (P-1444)
 23 III. Adm. Code 2761
 Merit Recognition Scholarship (MRS) Program (P-1453)
 23 III. Adm. Code 2763
 Minority Teachers of Ill. (MTD) Scholarship Program (E-175) (P-1459)
 23 III. Adm. Code 2735
 Monetary Award Program (P-1470) (E-6672)
 23 III. Adm. Code 2762
 Paul Douglas Teacher Scholarship Program (P-1484)
 23 III. Adm. Code 2762
 Police Officer/Fire Officer Grant Program (P-1493)
 23 III. Adm. Code 2760
 State Scholar Program (P-1497)
 23 III. Adm. Code 2770
 Student to Student (STS) Program of Matching Grants (P-1505)
- TOLL HIGHWAY AUTHORITY, ILLINOIS STATE**
 92 III. Adm. Code 2520
 State Toll Highway Rules (PR-566; AR-8536)
 92 III. Adm. Code 2520
 State Toll Highway Rules (P-542; A-8539)
- TRANSPORTATION, DEPARTMENT OF**
 4 III. Adm. Code 750
 Americans With Disabilities Act Grievance Procedure (A-11418/92; CC-1673)
 92 III. Adm. Code 700
 Construction in Floodways of Rivers, Lakes & Streams (P-17235/92; A-4484)
 92 III. Adm. Code 522
 Control of Outdoor Advertising Adjacent to Primary & Interstate Highways (P-981; A-7258)
 92 III. Adm. Code 10
 Disadvantaged, Minority & Woman-Owned Businesses (P-6418)
 92 III. Adm. Code 440
 Minimum Safety Standards for Construction of Type I School Buses (P-15835/92; A-3550)

TRANSPORTATION, DEPARTMENT OF (CONT'D)

92 III. Adm. Code 442 Minimum Safety Standards for Construction of Type II School Buses (P-13845/92; A-3540)
92 III. Adm. Code 67 Morris Municipal Airport Hazard Zoning (P-1767; A-9035)
92 III. Adm. Code 704 Regulation of Public Waters (P-1724/92; A-494)
92 III. Adm. Code 77 Scott Joint-Use Airport Hazard Zoning (P-1789; A-9057)
92 III. Adm. Code 453 Specifications for Seat Safety Belts (P-2186; A-8563)
92 III. Adm. Code 451 Vehicle Inspections (P-3110)

TREASURER

4 III. Adm. Code 350 Americans With Disabilities Act Grievance Procedure (P-5582)
80 III. Adm. Code 630 Conditions of Employment (P-6632)
74 III. Adm. Code 750 Home Ownership Made Easy Act (PK-762; A-9079) (P-777; A-9081)
74 III. Adm. Code 740 Ill. Public Treasurers' Investment Pool for Public Treasurers in the State of Ill. (P-283; A-6663)
80 III. Adm. Code 620 Ill. Art & Fitness (P-91; W-869) (P-11724/92; W-869) (P-12409/92; W-869)
80 III. Adm. Code 650 Rules of the Personnel Review Board (P-6635)
74 III. Adm. Code 730 Smart Money Program Confidentiality Requirements (PP-1671; O-3057) (P-3831)

UNIVERSITY OF ILLINOIS, BOARD OF TRUSTEES OF THE

89 III. Adm. Code 1200 Program Content & Guidelines for Division of Specialized Care for Children (P-15354/92; A-1137) (P-7780) (E-8052; W-8318)

VETERANS' AFFAIRS, DEPARTMENT OF

4 III. Adm. Code 325 Americans With Disabilities Act Grievance Procedure (A-8565/92; CC-1673)

PUBLIC HEARINGS

CARNIVAL-AMUSEMENT SAFETY BOARD

Carnival & Amusement Ride Inspection Law, 56 III. Adm. Code 6000 4519

ENVIRONMENTAL PROTECTION AGENCY

Payment of Claims from the Underground Storage Tank Fund, 35 III. Adm. Code 876 681

FINANCIAL INSTITUTIONS, DEPARTMENT OF

III. Credit Union Act, 38 III. Adm. Code 190 7560

PUBLIC INFORMATION

BANKS & TRUST COMPANIES, COMMISSIONER OF

Notice of Acceptance of an Application by CNB Bancshares, Inc., Evansville, Indiana, to Acquire South Central Ill. Bancorp., Inc., Effingham, Ill. 2079
Notice of Acceptance of an Application by First of America Bank Corporation, Kalamazoo, Michigan, to Acquire Kewanee Investing Company, Inc., Kewanee, Ill. 2080

PUBLIC INFORMATION (CONT'D)

BANKS & TRUST COMPANIES, COMMISSIONER OF (CONT'D)
Notice of Acceptance of an Application by Mercantile Bancorporation, Inc., St. Louis, Missouri, to Acquire First National Bank of Florida, Florida, Ill. 2081
Notice of Acceptance of an Application for AMBANC Corp., Vincennes, Indiana, to Acquire Farmers' State Bank of Palestine, Palestine, Ill. 3557

EDUCATION, STATE BOARD OF

State Plan for Fiscal Years 1993-95, Amendment 2082

ENVIRONMENTAL PROTECTION AGENCY

Listing of Derived Water Quality Criteria 507
Listing of Derived Water Quality Criteria 3907
Listing of Derived Water Quality Criteria 9146

FINANCIAL INSTITUTIONS, DEPARTMENT OF

Notice of Names of Persons Appearing to be Owners of Unclaimed Property Whose Last Known Addresses are in Certain States 6335

LABOR, DEPARTMENT OF

List of Contractors Prohibited From An Award Of A Contract Or A Subcontract For Public Works Projects 7080

LOTTERY, DEPARTMENT OF THE

List of Game-Specific Materials Published by the Lottery in 1992 870

POLLUTION CONTROL BOARD

Notice Pursuant to Ill. Rev. Stat. 1991, Ch. 111 1/2, Par. 1007.2(b) 872
Notice Pursuant to 415 LCS §7-2(b) Contingency Plan Rules Pursuant to Section 22.7 6364

Notice Pursuant to Ill. Rev. Stat. 1991, Ch. 111 1/2, Par. 1007.2(b) 874

Contingency Plan Rules Pursuant to Section 22.7 877

Notice Pursuant to Ill. Rev. Stat. 1991, Ch. 111 1/2, Par. 1007.2(b) 7081

RCRA Rules Pursuant to Section 22.4(a) 7081

Notice Pursuant to Ill. Rev. Stat. 1991, Ch. 111 1/2, Par. 1007.2(b) 7081

REVENUE, DEPARTMENT OF

Index of Letter Rulings (Third Quarter of 1992) (Income Tax) 3558
Index of Letter Rulings (4th Quarter 1992) (ROT) 6552
Index of Letter Rulings (4th Quarter 1992) (Income Tax) 6579
Index of Letter Rulings (1st Quarter 1993) (Income Tax) 7082

REGULATORY FLEXIBILITY ANALYSIS

COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF

Notice of Regulatory Flexibility Impact Analysis
1675, 3911, 6671, 6894, 7094, 8088, 8566,

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

Agenda for Meeting of January 12, 1993
Agenda for Meeting of February 17, 1993
Agenda for Meeting of March 9, 1993
Agenda for Meeting of April 13, 1993
Agenda for Meeting of May 11, 1993
Agenda for Meeting of June 15, 1993

SECOND NOTICES RECEIVED

182, 517, 682, 878, 1245, 1682, 2096, 2442, 2520, 3065, 3566, 3690, 3912, 4520, 5958, 6366, 6551,
6678, 6901, 7095, 7361, 8086, 8319, 8577, 9154,

NOTICES PURSUANT TO P.A. 87-823

AGRICULTURE, DEPARTMENT OF

Anhydrous Ammonia, Low Pressure Nitrogen Solutions, Equipment, Containers,
& Storage Facilities; 8 III. Adm. Code 215
Civil Administrative Code, Subpart A, Procedure for the Collection, Control &
Distribution of Surety Bonds Received by the Director of the Ill. Department
of Agriculture Acting as Trustee on Behalf of the Claimants; 8 III. Adm. Code 3
Egg & Egg Products Act; 8 III. Adm. Code 65
Grain Insurance Act; 8 III. Adm. Code 285
Hatcheries, Poultry Flocks, & Produce Thereof; 8 III. Adm. Code 55
Hatcheries, Poultry Flocks, & Produce Thereof; 8 III. Adm. Code 35
Hatcheries, Poultry Flocks, & Produce Thereof; 8 III. Adm. Code 210
Ill. State Fair & DuQuoin State Fair, Non-Fair Space Rental & the General
Operation of the State Fairgrounds; 8 III. Adm. Code 270
Insect Pest & Plant Disease Act; 8 III. Adm. Code 240
Meat & Poultry Inspection Act; 8 III. Adm. Code 125
Organizational Chart, Description, Rulemaking Procedure, & Programs;
2 III. Adm. Code 700
Pesticide Act of 1979; 8 III. Adm. Code 250
Public Grain Warehouse & Warehouse Receipts Act; 8 III. Adm. Code 505
Refrigerated Warehouses Act; 8 III. Adm. Code 515
Soil & Water Conservation Districts Act; 8 III. Adm. Code 650
Water Use Act of 1983; 8 III. Adm. Code 675

NOTICES PURSUANT TO P.A. 87-823 (CONT'D)

CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF

Access to Information; 2 III. Adm. Code 751
General Provisions; 2 III. Adm. Code 304
Public Information; 2 III. Adm. Code 750
Standard Information; 44 III. Adm. Code 1
State of Ill. Medical Care Assistance Plan; 80 III. Adm. Code 2120
State of Ill. Premium Payment Plan; 80 III. Adm. Code 2100

COMMERCE COMMISSION, ILLINOIS

Access to Information; 2 III. Adm. Code 1701
Least-Cost Planning for Electric Utilities; 83 III. Adm. Code 440
Least-Cost Planning for Natural Gas Utilities; 83 III. Adm. Code 535
Public Information, Rulemaking & Organization; 2 III. Adm. Code 1700
Rules of Practice; 83 III. Adm. Code 200

COMMUNITY COLLEGE BOARD, ILLINOIS

Public Access to Information; 2 III. Adm. Code 5176
Public Information, Rulemaking & Organization; 2 III. Adm. Code 5175

CONSERVATION, DEPARTMENT OF

Dept. Formal Hearings Conducted for Rulemaking & Contested Cases; 17 III. Adm. Code 2530
Non-Departmental Archaeological Research on Dept. of Conservation Managed Lands;
17 III. Adm. Code 390
Protection & Archaeological Resources; 17 III. Adm. Code 370
Rulemaking & Organization; 2 III. Adm. Code 825

EDUCATION, STATE BOARD OF

Access to Information of the State Board of Education Under the Freedom of Information Act;
2 III. Adm. Code 5001
Contested Cases & Other Formal Hearings; 23 III. Adm. Code 475
Driver Education; 23 III. Adm. Code 252
Health Examinations & Immunizations; 23 III. Adm. Code 625
Hearings Before the State Teacher Certification Board; 23 III. Adm. Code 480
Public Information, Rulemaking & Organization; 2 III. Adm. Code 5000
Vocational Education; 23 III. Adm. Code 254

EMPLOYMENT SECURITY, DEPARTMENT OF

Administrative Hearings & Appeals; 56 III. Adm. Code 2725
General Provisions; 56 III. Adm. Code 2960

ENVIRONMENTAL PROTECTION AGENCY

Procedures for Contested Cases Hearings; 35 III. Adm. Code 168
Procedures for Informal & Quasi-Legislative Public Hearings; 35 III. Adm. Code 164
Procedures for Permit & Closure Plan Hearings; 35 III. Adm. Code 166
Public Information, Rulemaking & Organization; 2 III. Adm. Code 1825

NOTICES PURSUANT TO P.A. 87-823 (CONT'D)

ETHICS, BOARD OF Freedom of Information; 2 Ill. Adm. Code 1601 Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 1600	8093 8094
FINANCIAL INSTITUTIONS, DEPARTMENT OF Consumer Installment Loan Act; 83 Ill. Adm. Code 110 Financial Institutions Code; 38 Ill. Adm. Code 200 Formulation & Issuance of Schedules of Maximum Rates for Check Cashing & the Writing of Money Orders of Community & Ambulatory Currency Exchanges, The; 38 Ill. Adm. Code 125 Schedules of Maximum Rates to be Charged for Check Cashing & Writing of Money Orders by Community & Ambulatory Currency Exchanges; 38 Ill. Adm. Code 130 Title Insurance Act; 30 Ill. Adm. Code 8100	7100 7101 7102 7103 7104
GOVERNOR'S PURCHASED CARE REVIEW BOARD Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 1850	7581
GUARDIANSHIP AND ADVOCACY COMMISSION Fee Schedule for the Office of the State Guardian; 59 Ill. Adm. Code 301 Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 1875	8585 8586
HIGHER EDUCATION, BOARD OF Access to Public Information; 2 Ill. Adm. Code 5051 Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 5050	7582 7583
JOINT COMMITTEE ON ADMINISTRATIVE RULES Complaint Review; 1 Ill. Adm. Code 260 Expedited Corrections; 1 Ill. Adm. Code 245 Five-Year Evaluation of All Existing Rules; 1 Ill. Adm. Code 250 General Policies; 1 Ill. Adm. Code 210 Review of Emergency Rulemaking; 1 Ill. Adm. Code 230 Review of Permanent Rulemaking; 1 Ill. Adm. Code 240 Review of Proposed Rulemaking; 1 Ill. Adm. Code 220	5960 5962 5964 5965 5967 5969 5971
JUDGES RETIREMENT SYSTEM Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 325	8325
LEGISLATIVE REFERENCE BUREAU Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 200	8326
LEGISLATIVE TRAVEL CONTROL BOARD Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 225	8387

NOTICES PURSUANT TO P.A. 87-823 (CONT'D)

LIQUOR CONTROL COMMISSION Ill. Liquor Control Commission, The; 11 Ill. Adm. Code 100 Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 2075	8095 8096
LOTTERY, DEPARTMENT OF THE Hearing Rules (Transferred); 11 Ill. Adm. Code 1600 Hearings; 11 Ill. Adm. Code 1700 Lottery (General); 11 Ill. Adm. Code 1770 Procedural Rules (Deleted); 11 Ill. Adm. Code 1635	7584 7585 7586 7587
MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES, DEPARTMENT OF Family Assistance & Home-Based Support Programs for Persons with Mental Disabilities; 59 Ill. Adm. Code 117 Freedom of Information; 2 Ill. Adm. Code 1026 Medicaid Community Mental Health Services Program; 59 Ill. Adm. Code 132 Minimum Standards for Certification of Developmental Training Programs; 59 Ill. Adm. Code 119 Minimum Standards for Licensure of Community Residential Alternatives; 59 Ill. Adm. Code 113 Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 1025	7591 7592 7593
MILITARY AFFAIRS, DEPARTMENT OF Freedom of Information Procedures; 2 Ill. Adm. Code 1376 Rulemaking Procedures & Department Organization; 2 Ill. Adm. Code 1375	8588 8589
MINES & MINERALS, DEPARTMENT OF Freedom of Information Rules; 2 Ill. Adm. Code 1051 Ill. Oil & Gas Act, The; 62 Ill. Adm. Code 240 Ill. Surface Coal Mining Operations; 62 Ill. Adm. Code 280	9139 9140 9141
NATURES PRESERVES COMMISSION Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 2150	8097
PROFESSIONAL REGULATION, DEPARTMENT OF Access to Information; 2 Ill. Adm. Code 1326 Financial Social Work & Social Work Practice Act; 68 Ill. Adm. Code 1470 Funeral Directors and Embalmers Act; 68 Ill. Adm. Code 1250 Medical Practice Act of 1987; 68 Ill. Adm. Code 1285 Nursing Home Administrators Licensing & Disciplinary Act; 68 Ill. Adm. Code 1310 Optometric Practice Act of 1987; 68 Ill. Adm. Code 1320 Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 1325 Real Estate License Act of 1985; 68 Ill. Adm. Code 1450 Rules of Practice in Administrative Hearings; 68 Ill. Adm. Code 1110	7594 7595 7596 7597 7598 7599 7600 7601 7602

NOTICES PURSUANT TO P.A. 87-823 (CONT'D)

NOTICES PURSUANT TO P.A. 87-823 (CONT'D)

PUBLIC AID, DEPARTMENT OF Freedom of Information; 2 Ill. Adm. Code 1101	8327	TRANSPORTATION, DEPARTMENT OF Construction & Maintenance of Dams; 92 Ill. Adm. Code 702	8337
Practice in Administrative Hearings; 89 Ill. Adm. Code 104	8328	Floodway Construction in Northwestern Ill.; 92 Ill. Adm. Code 708	8338
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 1100	8329	Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 1225	8339
PUBLIC COUNSEL, OFFICE OF THE Freedom of Information; 2 Ill. Adm. Code 2701	8590	Rates To Be Charged By Official Testing Stations For Second Division Vehicles Other Than School Buses; 92 Ill. Adm. Code 454	8340
Organization, Rulemaking & Public Access; 2 Ill. Adm. Code 2700	8591	Request for Public Records; 2 Ill. Adm. Code 1226	8341
REGENTS, BOARD OF Joint Rules of the Board of Regents, the Board of Governors of State Colleges & Universities, the Board of Trustees of the University of Ill., & the Board of Trustees of Southern Ill. University: Procurement & Bidding, The; 44 Ill. Adm. Code 525	7105	Rochelle Municipal Airport Hazard Zoning Regs.; 92 Ill. Adm. Code 76	8342
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 5075	7106	Rulemaking Procedures; 92 Ill. Adm. Code 102	8343
REHABILITATION SERVICES, DEPARTMENT OF Access to Public Records; 2 Ill. Adm. Code 1176	9142	TREASURER, OFFICE OF THE STATE Access to Information; 2 Ill. Adm. Code 651	7108
Public Information, Rulemaking, Department Organization; 2 Ill. Adm. Code 1175	9143	General Provisions; 80 Ill. Adm. Code 640	7109
SECRETARY OF STATE Business Corporation Act; 14 Ill. Adm. Code 150	8330	UNIVERSITIES CIVIL SERVICES SYSTEM, STATE Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 5350	9145
Departmental Duties; 2 Ill. Adm. Code 552	8331	EXECUTIVE ORDERS AND PROCLAMATIONS	
Department of Personnel; 80 Ill. Adm. Code 420	8332	EXECUTIVE ORDERS	
Merit Commission; 80 Ill. Adm. Code 50	8333	92-7 Sexual Harassment in State Agencies	518
Freedom of Information; 2 Ill. Adm. Code 551	8334	92-71 All Executive Order Reorganizing Divisions Within The Department of State Police	3692
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 550	8335	93-1 Executive Order On Inspection Of Task Force's Re-Evaluation Of Illinois Social Welfare Program	4521
SOUTHERN ILLINOIS UNIVERSITY, BOARD OF TRUSTEES OF Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 5125	8336	93-3 Executive Order Creating The Office Of Inspector General At The Department Of Children And Family Services	7110
STATE COLLEGES AND UNIVERSITIES, BOARD OF GOVERNORS OF Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 5025	7107	PROCLAMATIONS	
STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 2375	8336	92-554 Dave Magee Day	185
STATE'S ATTORNEYS APPELLATE PROSECUTOR, OFFICE OF THE Freedom of Information (Transferred); 2 Ill. Adm. Code 301	8594	92-555 Robert Beckwith Day	185
Freedom of Information; 2 Ill. Adm. Code 351	8595	92-556 Florsham Shoe Company Year	186
Public Information, Rulemaking & Organization (Transferred); 2 Ill. Adm. Code 300	8596	92-557 Anishkin Day	186
Public Information, Rulemaking & Organization; 2 Ill. Adm. Code 350	8597	92-558 Afro-American History Month	187
		92-559 American History Month	187
		92-560 Centennial Date For The Village of Cary, Illinois	188
		92-561 Dominican Sisters of Springfield, Illinois Recognized	188
		92-562 Phi Delta Kappa Presentation	189
		92-563 Veterinary Medical Education Week	189
		92-564 Santa's Secretaries Days	190
		92-565 Phil Georgeff Day	524
		92-566 Red Cloud Native American Week	525
		93-001 Autism Week	879
		93-002 George Prud'homme Day	879

PROCLAMATIONS (CONT'D)	
93-003 Lewis University Year	880
93-004 School Social Work Week	880
93-005 Ernest R. Jenkins Day	881
93-006 Land Surveyors' Month	1247
93-007 Quincy Salvation Army/100th Birthday	1247
93-008 Dr. Martin Luther King Day	1248
93-009 Operation Uplift Day	1248
93-010 Mid-America Housing Expo Days	1683
93-011 Child Abuse Awareness Day	1683
93-012 Cardiac Rehabilitation Week	1684
93-013 Seed Month	1684
93-014 George Fradel Day (Revised)	2097
93-015 Activity Professionals Day	2098
93-016 Black Data Processing Associates Day	2098
93-017 Braille Literacy Week	2099
93-018 Miles Franklin Day	2099
93-019 Rockfield Centennial Celebration Year	2100
93-020 Rockfield Aid Awareness Month	2100
93-021 Girls and Women In Sports Day	2101
93-022 Snowmobile Safety Week	2101
93-023 Travel Agent Appreciation Week	2102
93-024 Women's Reproductive Health Day	2102
93-025 Little City Foundation-World's Largest Indoor Super Bowl Party Day	2102
93-026 Catholic Schools Week/Catholic Schools Appreciation Day	2103
93-027 Park Ridge Community Church Sesquicentennial Day	2103
93-028 Music In Our Schools Day	2444
93-029 Engineers Week	2444
93-030 Future Business Leaders Of America-Phi Beta Lambda Week	2444
93-031 Melba Johnson Day	2445
93-032 Nutrition Month	2445
93-033 Black Nurses' Day	2446
93-034 Child Passenger Safety Awareness Week	2446
93-035 Lithuanian Independence Day	2521
93-036 FFA Week	2521
93-037 Jaycee Child Identification Day	2522
93-038 Frank W. Conside Day	3066
93-039 Long-Term Care Administrators	3066
93-040 Nursing Home Week	3067
93-041 Agriculture Day	3567
93-042 DuSable Museum of African American History Day	3567
93-043 Licensed Practical Nurse Week	3568
93-044 Gold Heart Day	3568
93-045 Rural Electric And Telephone Youth Day	3569
93-046 David Cray Day	3569
93-047 Lewis And Clark Month	3570
93-047 Lewis And Clark Month (Revised)	7603

PROCLAMATIONS (CONT'D)	
93-048 Youth Art Month	3570
93-049 Business Opportunity Days	3571
93-050 Dr. Charles Richard Drew Center For Health Sciences Continuing Education Day	3571
93-051 Free Paper Week	3571
93-052 Lutheran Schools Week	3572
93-053 Motorcycle Awareness Month	3572
93-054 Sarah Siddons Society Day	3573
93-055 Sertoma National Heritage Freedom Week	3573
93-056 Tornado Preparedness Week	3574
93-057 AFS Host Family Recognition Week	3574
93-058 Chronic Fatigue Syndrome Awareness Month	3603
93-059 Estonian Independence Day	3604
93-060 Foreign Language Week	3604
93-061 Hispanic Professional Engineers Days	3605
93-062 Human Services Week	3605
93-063 Illinois State Quartet Convention Week	3606
93-064 Independent Order of Foresters Day	3606
93-065 Jewish Culture Week	3607
93-066 Lioness Caramel Day	3607
93-067 Mt. Sinai Parenting Institute Day	3607
93-068 St. David's Day	3608
93-069 Federal Employee Of The Year Day	3608
93-070 U.S. Savings Bond Campaign Month	3609
93-071 Women's History Month	3609
93-072 Casimir Pulaski Day	3700
93-073 Midwest Area Of The Second Air Division Of The Eighth Air Force, World War II Days	3701
93-074 Denysia Bastas Day	3701
93-075 Dare Night With The Ambush	3913
93-076 U.S. Surgeon General's Hispanic/Latino Health Initiative Days	3913
93-077 Biomedical Equipment Technology Week	3913
93-078 Carthage High School Bluebirds Day	3914
93-079 Industry Appreciation Day	3915
93-080 Metropolitan Pier And Exposition Authority Employee Longevity Day	3915
93-081 Multiple Sclerosis Awareness Day	3916
93-082 La Petite Delta Day	5974
93-083 Mother of the Year Day	5974
93-084 Danube-Swabian Society	5975
93-085 Drinking Water Week	5975
93-086 Illinois Day For Children	5976
93-087 Irish-American Heritage Month and St. Patrick's Day	5976
93-088 Lake and Watershed Management Month	5977
93-089 Professional Security Education Month	5977
93-090 STD Awareness Month	5978
93-091 Doctor's Day	5978
93-092 Eye Donor Awareness Month	5979

PROCLAMATIONS (CONT'D)	
93-093 Tony Romano Day	5979
93-094 Tree City USA Month	5980
93-095 American POW Recognition Day	5980
93-096 International Week	5981
93-097 Police-Community Partnership Week	5981
93-098 Senior 100 Honoray Day	5981
93-099 Contemporary Christian Music Month	5982
93-100 Emergency Medical Services Week	5982
93-101 Illinois Community College Month	5983
93-102 Professional Social Workers Month	5983
93-103 Volunteer Week	5984
93-104 Mummy Weekend Day	6367
93-105 American Red Cross Month	6367
93-106 A7 ROTC Week	6368
93-107 Breastfeeding Promotion Month	6368
93-108 Building Safety Week	6369
93-109 Call Before You Dig Month	6370
93-110 Chicago Reporter Congratulated	6370
93-111 Community Renewal Society Day	6370
93-112 Greek Independence Day	6393
93-113 Infant Welfare Society Day	6393
93-114 Mary Parsons Waters Day	6394
93-115 Nancy Boyer Day	6394
93-116 Nurses Week	6395
93-117 Student-Athlete Day	6395
93-118 Sexual Assault Awareness Month	6396
93-119 Sexual Assault Prevention Week	6396
93-120 Arbor And Bird Day	6397
93-121 Disaster Areas - Calhoun, Henry, Jersey And Rock Island Counties	6903
93-122 Disaster Areas - Kane, Lake And McHenry Counties	6903
93-123 National Federation Of Independent Business Day	7112
93-124 National Crime Victim Rights Week	7112
93-125 "Just Say No" Week	7603
93-126 Stamp Collecting Week	7604
93-127 Retired Teachers Week	8098
93-128 Disaster Areas - Jackson And Alexander Counties	8344
93-129 National Association Of Insurance Women's Week	8344
93-130 Correctional Officer Week	9156
93-131 Polish Constitution Day	9156
93-132 Michael Jordan's Restaurant Day	9157
93-133 Cando Day	9158
93-134 Cytotechnology Day	9158
93-135 Fresh Fruit And Vegetable Month	9159
93-136 James W. Compton Day	9159
93-137 RP Awareness Day	9160
93-138 American Heart Association Day	9161
93-139 Charleston Area Senior Center Day	9161

PROCLAMATIONS (CONT'D)	
93-140 Frozen Yogurt Month	9162
93-141 Girl Scout Troop 222 Week	9162
93-142 Korean Veterans Of Foreign Wars	9163
93-143 Mattoon Area Senior Center Day	9163
93-144 Mother's Day	9164
93-145 Illinois Derby Day	9164
93-146 Paul M. Harmon Jr. Day	9165

The Sections Affected Index lists, by title, each section of a part on which rulemaking activity has occurred in this volume (calendar year) of the Register. The columns indicate the type of rulemaking activity and the action taken along with the page number on which the first page of the notice of rulemaking activity appeared. If a section on which action is being taken in the current volume of the Register was proposed in a previous volume, the last two digits of the previous volume's year appear immediately after the page number separated by a slash (e.g. 11 Ill. Adm. Code 436.05 was proposed last year and adopted this year. The action entry reads: (P-15655/91; A-4520). The codes are listed below.

TYPE OF RULEMAKING

am = amendment to existing Section
cc = codification changes
n = new Section
r = repeal of existing Section
re = reclassified
= renumbered

ACTION CODES

A = Adopted rule
C = Correction
P = Proposed Rule
E = Emergency rule
PP = Peremptory rule
M = Modification
W = Withdrawal
RQ = Request for Correction
PF = Prohibited filing
S = Suspension
O = JCAR Objection
R = Refusal to Modify
F = Failure to Remedy
Objections Objection
RC = Recommendation
EC = Expedited Correction
CC = Codification Changes

Volume 17, Issue #25	ILLINOIS REGISTER		SECTIONS AFFECTED INDEX		June 18, 1993
TITLE 1					
100.100	am	(P-2867)	100.700	am	(P-2867)
100.110	am	(P-2867)	100.740	am	(P-2867)
100.120	am	(P-2867)	100.800	am	(P-2867)
100.130	am	(P-2867)	100.810	am	(P-2867)
100.140	am	(P-2867)	100.820	am	(P-2867)
100.150	am	(P-2867)	100.900	am	(P-2867)
100.160	am	(P-2867)	100.910	am	(P-2867)
100.180	am	(P-2867)	100.920	am	(P-2867)
100.200	am	(P-2867)	100.1000	am	(P-2867)
100.210	am	(P-2867)	100.1010	am	(P-2867)
100.220	am	(P-2867)	100.1020	am	(P-2867)
100.230	am	(P-2867)	100.1030	am	(P-2867)
100.240	am	(P-2867)	100.1100	am	(P-2867)
100.250	n	(P-2867)	100.1110	am	(P-2867)
100.260	am	(P-2867)	100.1150	am	(P-2867)
100.270	am	(P-2867)	100.1160	n	(P-2867)
100.280	am	(P-2867)	100.1200	am	(P-2867)
100.300	am	(P-2867)	100.1210	am	(P-2867)
100.310	am	(P-2867)	100.1210	am	(P-2867)
100.320	am	(P-2867)	100.Ap.A	am	(P-2867)
100.330	am	(P-2867)	11.A	am	(P-2867)
100.350	am	(P-2867)	100.Ap.B	n	(P-2867)
100.360	am	(P-2867)	11.G	n	(P-2867)
100.380	am	(P-2867)	11.H	n	(P-2867)
100.385	am	(P-2867)	11.I	n	(P-2867)
100.390	am	(P-2867)	100.Ap.D	am	(P-2867)
100.400	am	(P-2867)	11.A	am	(P-2867)
100.410	am	(P-2867)	100.Ap.E	am	(P-2867)
100.415	am	(P-2867)	11.C	am	(P-2867)
100.420	am	(P-2867)	11.D	am	(P-2867)
100.430	am	(P-2867)	11.F	am	(P-2867)
100.440	am	(P-2867)	11.G	n	(P-2867)
100.450	am	(P-2867)	210.100	(CC-5965)	(CC-5965)
100.500	am	(P-2867)	210.200	(CC-5965)	(CC-5965)
100.510	am	(P-2867)	210.400	(CC-5965)	(CC-5965)
100.530	am	(P-2867)	210.450	(CC-5965)	(CC-5965)
100.540	am	(P-2867)	210.500	(CC-5971)	(CC-5971)
100.550	am	(P-2867)	220.100	(CC-5971)	(CC-5971)
100.560	am	(P-2867)	220.150	(CC-5971)	(CC-5971)
100.610	am	(P-2867)	220.200	(CC-5971)	(CC-5971)
100.620	am	(P-2867)	220.250	(CC-5971)	(CC-5971)
100.640	am	(P-2867)	220.275	(CC-5971)	(CC-5971)
100.650	am	(P-2867)	220.285	(CC-5971)	(CC-5971)
100.660	am	(P-2867)	220.300	(CC-5971)	(CC-5971)
			220.450	(CC-5971)	(CC-5971)
			220.500	(CC-5971)	(CC-5971)
			220.600	(CC-5971)	(CC-5971)
			220.760	(CC-5971)	(CC-5971)
			220.780	(CC-5971)	(CC-5971)

Volume 17, Issue #25		ILLINOIS REGISTER		June 18, 1993	
TITLE # (CONT'D)		SECTIONS AFFECTED		DATE	
325	(A-8565/92; CC-1673)	1025.70	n	(P-13188/92; A-8802)	
350.110	n	1050.10	n	(P-17399/92; A-4185)	
350.120	n	1050.20	n	(P-17399/92; A-4185)	
350.130	n	1050.30	n	(P-17399/92; A-4185)	
350.140	n	1050.40	n	(P-17399/92; A-4185)	
350.150	n	1050.50	n	(P-17399/92; A-4185)	
350.160	n	1050.60	n	(P-17399/92; A-4185)	
350.170	n	1050.70	n	(P-17399/92; A-4185)	
350.180	n	1075.10	n	(P-14182/92; A-142)	
375	(A-15976/92; CC-1673)	1075.20	n	(P-14182/92; A-142)	
400	(A-12439/92; CC-1673)	1075.30	n	(P-14182/92; A-142)	
475	(A-10423/92; CC-1673)	1075.40	n	(P-14182/92; A-142)	
500	(A-11424/92; CC-1673)	1075.50	n	(P-14182/92; A-142)	
550	(A-17441/92; CC-1673)	1075.70	n	(P-14182/92; A-142)	
575	(A-14621/92; CC-1673)	1125.10	n	(P-4523)	
700.101	n	1125.20	n	(P-4523)	
700.102	n	1125.30	n	(P-4523)	
700.103	n	1125.40	n	(P-4523)	
700.201	n	1125.50	n	(P-4523)	
700.202	n	1125.60	n	(P-4523)	
700.203	n	1125.60	n	(P-4523)	
700.204	n	1125.70	n	(P-4523)	
725	(A-11432/92; CC-1673)	TITLE 8			
750	(A-11418/92; A-6507)	65.10	am	(P-527; A-6749)	
775.10	(P-13710/92; A-6499)	65.100	am	(P-527; A-6749)	
775.20	(P-13710/92; A-6499)	65.130	am	(P-527; A-6749)	
775.30	(P-13710/92; A-6499)	65.140	am	(P-527; A-6749)	
775.40	(P-13710/92; A-6499)	65.150	am	(P-527; A-6749)	
775.50	(P-13710/92; A-6499)	65.170	am	(P-527; A-6749)	
775.60	(P-13710/92; A-6499)	65.190	am	(P-527; A-6749)	
775.70	(P-13710/92; A-6499)	65.200	am	(P-527; A-6749)	
775-App-A	(P-13710/92; A-6499)	65.210	am	(P-527; A-6749)	
925.100	(P-0534/92; A-8162)	65.220	am	(P-527; A-6749)	
925.110	(P-0534/92; A-8162)	65.230	am	(P-527; A-6749)	
925.120	(P-0534/92; A-8162)	105.30	am	(P-5910) (P-6377)	
925.130	(P-0534/92; A-8162)	115.80	am	(P-5906) (P-6373)	
925.140	(P-0534/92; A-8162)	125.270	am	(PF-2063)	
925.150	(P-0534/92; A-8162)	125.390	am	(PF-2063)	
925.160	(P-0534/92; A-8162)	256.10	n	(P-14975/92; A-2189)	
925-App-A	(P-0534/92; A-8162)	256.20	n	(P-14975/92; A-2189)	
975	(A-20062/92; CC-1673)	256.30	n	(P-14975/92; A-2189)	
1005	(P-13188/92; A-8802)	256.40	n	(P-14975/92; A-2189)	
1025.10	(P-13188/92; A-8802)	256.50	n	(P-14975/92; A-2189)	
1025.20	(P-13188/92; A-8802)	256.60	n	(P-14975/92; A-2189)	
1025.30	(P-13188/92; A-8802)	256.70	n	(P-14975/92; A-2189)	
1025.40	(P-13188/92; A-8802)	256.80	n	(P-14975/92; A-2189)	
1025.50	(P-13188/92; A-8802)	256.90	n	(P-14975/92; A-2189)	
1025.60	(P-13188/92; A-8802)	290.10	am	(P-8347)	

Volume 17, Issue #25		ILLINOIS REGISTER		June 18, 1993	
SECTIONS AFFECTED INDEX					
TITLE 1 (CONT'D)					
220.900	(CC-5971)	300.400	am	(P-11391/92; A-1511)	
220.950	(CC-5971)	300.Ap-A	r	(P-11391/92; A-1511)	
220.1000	(CC-5971)				
220.1100	(CC-5971)				
220.1150	(CC-5971)	825.110		(CC-5092)	
220.1200	(CC-5971)	1200.100	n	(A-7054)	
220.1300	(CC-5971)	1601.10		(CC-5094)	
220.E.A	(CC-5971)	2075.100		(CC-5093)	
220.E.F	(CC-5971)	2150.		(CC-5096)	
220.E.G	(CC-5971)	5175.		(CC-5097)	
230.100	(CC-5967)	5176.		(CC-5094)	
230.200	(CC-5967)			(CC-5093)	
230.300	(CC-5967)				
230.550	(CC-5967)	800.20	n	(P-15824/92; A-6513)	
230.600	(CC-5967)	850.10	n	(P-15833/92; A-6517)	
230.700	(CC-5967)				
230.800	(CC-5967)				
230.1000	(CC-5967)				
230.E.A	(CC-5967)	125.10	n	(P-22833/92; A-1811)	
230.E.B	(CC-5967)	125.20	n	(P-22833/92; A-1811)	
230.E.C	(CC-5967)	125.30	n	(P-22833/92; A-1811)	
230.E.F	(CC-5967)	125.50	n	(P-22833/92; A-1811)	
240.100	(CC-5969)	125.60	n	(P-22833/92; A-1811)	
240.200	(CC-5969)	125.70	n	(P-22833/92; A-1811)	
240.500	(CC-5969)	125.80	n	(P-22833/92; A-1811)	
240.650	(CC-5969)	125.Ap-A		(P-22833/92; A-1811)	
240.700	(CC-5969)	150.10	n	(P-1263)	
240.800	(CC-5969)	150.20	n	(P-1263)	
240.900	(CC-5969)	150.30	n	(P-1263)	
240.1100	(CC-5969)	150.40	n	(P-1263)	
245.110	(CC-5962)	150.50	n	(P-1263)	
245.120	(CC-5962)	150.60	n	(P-1263)	
245.130	(CC-5962)	200.1	n	(P-1954/92; A-2200)	
245.140	(CC-5962)	200.2	n	(P-1954/92; A-2200)	
245.E.A	(CC-5962)	200.30	n	(P-1954/92; A-2200)	
245.E.B	(CC-5962)	200.40	n	(P-1954/92; A-2200)	
245.E.C	(CC-5962)	200.50	n	(P-1954/92; A-2200)	
245.E.D	(CC-5962)	200.70	n	(P-1954/92; A-2200)	
245.E.E	(CC-5962)	200.80	n	(P-1954/92; A-2200)	
245.E.F	(CC-5962)	200.90	n	(P-1954/92; A-2200)	
245.E.G	(CC-5962)	200.100	n	(P-1954/92; A-2200)	
260.900	(CC-5960)	225.20	n	(P-7749/92; A-2945)	
260.950	(CC-5960)	225.30	n	(P-7749/92; A-2945)	
260.1000	(CC-5960)	225.40	n	(P-7749/92; A-2945)	
260.1200	(CC-5960)	225.50	n	(P-7749/92; A-2945)	
260.E.A	(CC-5960)	225.60	n	(P-7749/92; A-2945)	
260.E.B	(CC-5960)	225.70	n	(P-7749/92; A-2945)	
300.100	am	275		(P-11391/92; A-1511)	
300.200				(P-11391/92; A-1511)	
300.300	r	300		(P-11391/92; A-1511)	
				(A-15102/92; CC-1673)	

ILLINOIS REGISTER
June 18, 1993
SECTIONS AFFECTED INDEX

Volume 17, Issue #25	June 18, 1993	SECTIONS AFFECTED INDEX
TITLE 18 (CONT'D)		
290.15	n	(P-3594) (E-6859; O-8085)
290.30	am	(P-8347)
290.50	am	(P-8347)
290.55	am	(P-8347)
290.60	r	(P-8347)
290.62	n	(P-8347)
290.63	n	(P-8347)
290.64	n	(P-8347)
290.65	am	(P-8347)
290.70	r	(P-8347)
290.75	r	(P-8347)
290.80	am	(P-8347)
290.85	am	(P-8347)
290.90	am	(P-8347)
290.95	am	(P-8347)
290.100	r	(P-8347)
290.110	am	(P-8347)
290.150	am	(P-8347)
290.155	am	(P-8347)
290.160	r	(P-8347)
290.162	n	(P-8347)
290.163	n	(P-8347)
290.164	n	(P-8347)
290.165	am	(P-8347)
290.170	r	(P-8347)
290.175	r	(P-8347)
290.180	am	(P-8347)
290.185	am	(P-8347)
290.190	r	(P-8347)
290.195	am	(P-8347)
290.200	r	(P-8347)
290.205	am	(P-8347)
290.210	am	(P-8347)
290.212	am	(P-8347)
290.215	am	(P-8347)
750.20	n	(P-1251, A-6965)
750.30	n	(P-1251, A-6965)
750.40	n	(P-1251, A-6965)
750.46	n	(P-3956)
1400.146	am	(P-8297/02, A-3618)
1400.147	am	(P-3956)
1400.149	am	(P-8297/02, A-3618)
1400.150	am	(P-3956)
205.10	n	(P-3594) (E-6859; O-8085)
205.20	n	(P-3594) (E-6859; O-8085)
205.30	n	(P-3594) (E-6859; O-8085)
205.40	n	(P-3594) (E-6859; O-8085)
205.50	n	(P-3594) (E-6859; O-8085)
205.60	n	(P-3594) (E-6859; O-8085)
205.70	n	(P-3594) (E-6859; O-8085)
205.80	n	(P-3594) (E-6859; O-8085)
205.110	n	(P-3594) (E-6859; O-8085)
205.120	n	(P-3594) (E-6859; O-8085)
205.130	n	(P-3594) (E-6859; O-8085)
205.140	n	(P-3594) (E-6859; O-8085)
205.150	n	(P-3594) (E-6859; O-8085)
205.160	n	(P-3594) (E-6859; O-8085)
205.170	n	(P-3594) (E-6859; O-8085)
205.180	n	(P-3594) (E-6859; O-8085)
205.190	n	(P-3594) (E-6859; O-8085)
205.250	n	(P-3594) (E-6859; O-8085)
205.260	n	(P-3594) (E-6859; O-8085)
205.270	n	(P-3594) (E-6859; O-8085)
205.280	n	(P-3594) (E-6859; O-8085)
205.290	n	(P-3594) (E-6859; O-8085)
205.300	n	(P-3594) (E-6859; O-8085)
205.310	n	(P-3594) (E-6859; O-8085)

SAL-4

TITLE 11
100.350

ILLINOIS REGISTER
June 18, 1993
SECTIONS AFFECTED INDEX

Volume 17, Issue #25	June 18, 1993	SECTIONS AFFECTED INDEX
TITLE 11 (CONT'D)		
205.320	n	(P-3594) (E-6859; O-8085)
205.330	n	(P-3594) (E-6859; O-8085)
205.340	n	(P-3594) (E-6859; O-8085)
205.350	n	(P-3594) (E-6859; O-8085)
205.360	n	(P-3594) (E-6859; O-8085)
205.370	n	(P-3594) (E-6859; O-8085)
205.380	n	(P-3594) (E-6859; O-8085)
205.420	n	(P-3594) (E-6859; O-8085)
205.430	n	(P-3594) (E-6859; O-8085)
205.440	n	(P-3594) (E-6859; O-8085)
205.450	n	(P-3594) (E-6859; O-8085)
205.460	n	(P-3594) (E-6859; O-8085)
205.470	n	(P-3594) (E-6859; O-8085)
205.480	n	(P-3594) (E-6859; O-8085)
205.490	n	(P-3594) (E-6859; O-8085)
205.500	n	(P-3594) (E-6859; O-8085)
205.510	n	(P-3594) (E-6859; O-8085)
205.520	n	(P-3594) (E-6859; O-8085)
205.530	n	(P-3594) (E-6859; O-8085)
205.540	n	(P-3594) (E-6859; O-8085)
205.550	n	(P-3594) (E-6859; O-8085)
205.560	n	(P-3594) (E-6859; O-8085)
205.570	n	(P-3594) (E-6859; O-8085)
205.580	n	(P-3594) (E-6859; O-8085)
205.590	n	(P-3594) (E-6859; O-8085)
205.600	n	(P-3594) (E-6859; O-8085)
205.610	n	(P-3594) (E-6859; O-8085)
205.620	n	(P-3594) (E-6859; O-8085)
205.650	n	(P-3594) (E-6859; O-8085)
205.660	n	(P-3594) (E-6859; O-8085)
205.670	n	(P-3594) (E-6859; O-8085)
205.680	n	(P-3594) (E-6859; O-8085)
205.690	n	(P-3594) (E-6859; O-8085)
205.700	n	(P-3594) (E-6859; O-8085)
205.710	n	(P-3594) (E-6859; O-8085)
205.720	n	(P-3594) (E-6859; O-8085)
205.730	n	(P-3594) (E-6859; O-8085)
509.10	am	(P-6955/92, A-3649)
509.20	am	(P-6955/92, A-3649)
509.30	am	(P-6955/92, A-3649)
509.40	am	(P-6955/92, A-3649)
509.50	am	(P-6955/92, A-3649)
509.60	am	(P-6955/92, A-3649)
509.70	am	(P-6955/92, A-3649)
509.75	am	(P-6955/92, A-3649)
509.80	am	(P-6955/92, A-3649)
509.90	am	(P-6955/92, A-3649)
509.95	am	(P-6955/92, A-3649)
509.100	am	(P-6955/92, A-3649)
509.110	am	(P-6955/92, A-3649)
509.130	r	(P-6955/92, A-3649)
509.140	am	(P-6955/92, A-3649)
509.150	am	(P-6955/92, A-3649)
509.160	am	(P-6955/92, A-3649)
509.170	am	(P-6955/92, A-3649)
509.175	r	(P-6955/92, A-3649)
509.190	am	(P-6955/92, A-3649)
509.195	r	(P-6955/92, A-3649)
509.200	am	(P-6955/92, A-3649)
509.210	am	(P-6955/92, A-3649)

SAL-5

ILLINOIS REGISTER			June 18, 1993
Volume 17, Issue #25	SECTIONS AFFECTED		
TITLE 11 (CONT'D)			
509.220	(P-6955/92; A-3649)	150.240	an (P-4167)
509.230	(P-6955/92; A-3649)	150.305	an (P-4167)
509.240	(P-6955/92; A-3649)	150.400	an (P-4167)
509.240 r	(P-6955/92; A-3649)	150.405	an (P-4167)
509.250 r	(P-6955/92; A-3649)	150.420	an (P-4167)
509.260 r	(P-6955/92; A-3649)	150.435	an (P-4167)
509.265 r	(P-6955/92; A-3649)	150.470	an (P-4167)
509.270	(P-6955/92; A-3649)	150.510	an (P-4167)
510.30	(P-6746)	150.520	an (P-4167)
510.200	(P-6746)	150.620	an (P-4167)
510.220	(P-4153)	150.621	an (P-4167)
510.220	(P-4153)	150.630	an (P-4167)
510.220	(P-4153)	150.705	an (P-4167)
1305.120 r	(P-2439/92; A-3034)	150.718	an (P-4167)
1305.130	(P-2439/92; A-3034)	150.720	an (P-4167)
1305.140	(P-2439/92; A-3034)		
1305.140	(P-2439/92; A-3034)		
1409.10	(P-4158)	170.20	an (P-1374/92; A-4277)
1409.20	(P-4158)	520.920	an (P-1361/92; A-1837)
1409.310	(P-4158)	520.930	an (P-1361/92; A-1837)
1409.410	(P-4158)	520.1020	an (P-1361/92; A-1837)
1409.510	(P-4158)	520.1030	an (P-1361/92; A-1837)
1409.710	(P-4158)	1230.100	n (P-9222/92; A-1859)
1409.810	(P-4158)	1230.110	n (P-9222/92; A-1859)
1409.1000	(P-4158)	1230.200	n (P-9222/92; A-1859)
1409.1200	(P-4158)	1230.210	n (P-9222/92; A-1859)
1409.1200	(P-4158)	1230.300	n (P-9222/92; A-1859)
1409.1300	(P-4158)	1230.310	n (P-9222/92; A-1859)
1409.138	(P-4158)	1230.400	n (P-9222/92; A-1859)
1409.138	(P-4158)	1230.500	n (P-9222/92; A-1859)
1409.140	(P-4158)	1230.510	n (P-9222/92; A-1859)
1409.150	(P-4158)	1230.520	n (P-9222/92; A-1859)
1409.160	(P-4158)	1230.530	n (P-9222/92; A-1859)
1409.170	(P-4158)	1230.540	n (P-9222/92; A-1859)
1409.180	(P-4158)		
1409.185	(P-4158)		
1411.250	(P-1372)	TITLE 17	
1413.150	(P-13218/92; A-1628)	220.30	an (P-1993/92; A-6760)
1424.170	(P-13218/92; A-3038)	220.60	an (P-1993/92; A-6760)
1424.175 r	(P-12133/92; A-3038)	370.	an (CC-8001)
1428.240	(P-12133/92; A-3038)	390.	an (CC-8001)
1770.20	(P-16738/92; C-8074)	530.10	an (P-7138)
1770.110	(P-16738/92; C-8074)	530.20	an (P-7138)
1770.170	(P-16738/92; C-8074)	530.70	an (P-7138)
1770.170	(P-16738/92; C-8074)	530.80	an (P-7138)
1770.190	(P-16738/92; C-8074)	530.90	an (P-7138)
TITLE 14			
150.20	an (P-4167)	530.100	an (P-7138)
150.200	an (P-4167)	530.105	an (P-7138)
150.210	an (P-4167)	530.110	an (P-7138)
150.220	an (P-4167)	530.115	an (P-7138)
		530.120	an (P-7138)

ILLINOIS REGISTER			June 18, 1993	
Volume 17, Issue #25	SECTIONS AFFECTED	INDEX		
TITLE 17 (CONT'D)				
550.10	(P-4622)	720.10	am	(P-15260/92; A-281)
550.20	(P-4622)	720.20	am	(P-4680)
550.30	(P-4622)	720.40	am	(P-15260/92; A-281)
570.20	(P-4611)		am	(P-4680)
570.30	(P-4611)	730.10	am	(P-4539)
570.40	(P-4611)	730.20	am	(P-4539)
590.10	(E-1638) (P-4554)	730.30	am	(P-4757)
590.20	(P-4554)	740.10	am	(P-4757)
590.25	(P-4554)	740.20	am	(P-17414/92; A-3853)
590.26	(P-4554)	810.20	am	(P-17414/92; A-3853)
590.30	(P-4554)	810.35	am	(P-17414/92; A-3853)
590.40	(P-4554)	810.45	am	(P-17414/92; A-3853)
590.50	(P-4554)		am	(P-4630) (E-5915)
590.60	(P-4554)	810.60	am	(P-17414/92; A-3853)
590.70	(P-4554)	810.70	am	(P-17414/92; A-3853)
590.80	(P-4554)	830.10	am	(P-17405/92; A-3177)
650.21	(P-4718)	830.20	am	(P-17405/92; A-3177)
650.22	(P-4718)	830.40	am	(P-17405/92; A-3177)
650.30	(P-4718)	830.80	am	(P-17405/92; A-3177)
650.40	(P-4718)	830.90	am	(P-17405/92; A-3177)
650.50	(P-4718)	950.40	am	(P-6390)
650.60	(P-4718)	950.50	am	(P-6390)
650.65	(P-4718)	1050.20	am	(P-4608)
660.22	(P-4742)	1536.10	am	(P-8107)
660.22	(P-4742)	1536.25	am	(P-8107)
660.30	(P-4742)	1536.30	am	(P-8107)
660.40	(P-4742)	1536.40	am	(P-8107)
660.45	(P-4742)	1536.50	am	(P-8107)
660.50	(P-4742)	1536.60	am	(P-8107)
660.60	(P-4742)	1536.65	am	(P-8107)
660.60	(P-15265/92; A-286)	1536.65	n	(P-8107)
670.10	(P-4698)	1536.70	am	(P-8107)
670.20	(P-4698)	1536.80	am	(P-8107)
670.30	(P-4698)	1536.90	am	(P-8107)
670.40	(P-4698)	2530.20	am	(CC-8089)
670.50	(P-4698)	4180.120	am	(P-13718/92; A-1521)
670.60	(P-15265/92; A-286)			
TITLE 20				
690.30	(P-4698)	440.10	r	(P-16371/92; A-1519)
710.10	(P-18181/92; A-3184)	440.20	r	(P-16371/92; A-1519)
710.20	(P-18181/92; A-3184)	501.40	am	(P-8396)
710.30	(P-18181/92; A-3184)	501.60	am	(P-8396)
710.40	(P-18181/92; A-3184)	501.80	am	(P-8394)
715.10	(P-4689)	525.140	am	(PP-1666; RQ; 9150)
715.20	(P-4689)		am	(PP-8068)
715.21	(P-4689)	1230.10	am	(P-7768)
715.40	(P-4689)	1230.20	am	(P-7768)
715.40	(P-4689)	1230.30	am	(P-7768)

Volume 17, Issue #25	SECTIONS AFFECTED	INDEX	June 18, 1953
ILLINOIS REGISTER			
TITLE 20 (CONT'D)			
1230.40	(P-7768)	2720.20	am (P-1403)
1230.40 #n	(P-7768)	2720.25	am (P-1403)
1230.50	(P-7768)	2720.30	am (P-1403)
1230.60 #am	(P-7768)	2720.40	am (P-1403) (E-2055)
1230.70 n	(P-7768)	2720.41	am (P-1403)
1230.80 n	(P-7768)	2720.42	am (P-1403)
1230.90 #	(P-7768)	2720.50	am (P-1403)
1230.90 #, am	(P-7768)	2720.55	am (P-1403)
1230.100 n	(P-7768)	2720.60	am (P-1403)
1230.Ex.A r	(P-7768)	2720.70	am (P-1403)
1230.Ex.B r	(P-7768)	2720.80	am (P-1403)
TITLE 23			
1.736	(P-8684)92.A-18010/92; EC-3-553)	2720.90	am (P-1403)
228.15 n	(P-9253)92. A-104)	2720.105	am (P-1403)
228.20 n	(P-9253)92. A-104)	2720.120	am (P-1403)
228.25 n	(P-9253)92. A-104)	2720.130	am (P-1403)
228.30 n	(P-9253)92. A-104)	2720.200	am (P-1403)
228.30 am	(P-9253)92. A-104)	2720.210	am (P-1403)
228.50 am	(P-9253)92. A-104)	2720.Ap.A	am (P-1403)
1501.518	(P-9253)92. A-104)	2730.5	am (P-1437)
1501.102 n	(P-1227)92; A-1853)	2730.10	am (P-1437)
1501.105 am	(P-6686)	2730.20	am (P-1437)
1501.109 am	(P-6686)	2731.20	am (P-1381)
1501.110 am	(P-6686)	2731.20	am (P-1493)
1501.201 am	(P-6686)	2732.20	am (P-1493)
1501.202 am	(P-6686)	2733.20	am (P-1444)
1501.301 am	(P-6686)	2733.30	am (P-1444)
1501.302 am	(P-6686)	2733.30	am (P-1444)
1501.307 am	(P-6686)	2735.10	am (P-1470)
1501.309 am	(P-6686)	2735.20	am (P-1470)
1501.406 am	(P-6686)	2735.30	am (P-1470) (E-6672)
1501.501 am	(P-6686)	2735.40	am (P-1470)
1501.503 am	(P-6686)	2735.50	am (P-1470)
1501.505 am	(P-6686)	2735.60	am (P-1470)
1501.507 am	(P-6686)	2735.70	am (P-1470)
1501.516 am	(P-6686)	2735.80	am (P-1470)
1501.607 am	(P-6686)	2735.100	am (P-1470)
1501.703 am	(P-6686)	2760.5	am (P-1497)
1501.803 am	(P-1691)	2760.10	am (P-1497)
1501.903 am	(P-1385)	2760.30	am (P-1497)
2700.20 am	(P-1385)	2760.40	am (P-1497)
2700.30 am	(P-1385)	2761.10	am (P-1453)
2700.40 am	(P-1385)	2761.20	am (P-1453)
2700.55 am	(P-1385)	2761.30	am (P-1453)
2700.60 am	(P-1385)	2762.10	am (P-1484)
2700.70 am	(P-1385)	2762.20	am (P-1484)
2720.5 am	(P-1403)	2762.30	am (P-1484)
2720.6 am	(P-1403)	2762.40	am (P-1459)

[illegible]

Volume 17, Issue #25

ILLINOIS REGISTER

June 18, 1993

SECTIONS AFFECTED INDEX

TITLE 32 (CONT'D)

340.1180

(P-4070)

351.1080

an

(P-8674)

340.1190

n

351.1090

an

(P-8674)

340.1195

n

351.1100

an

(P-8674)

340.1210

n

351.2010

an

(P-8674)

340.1220

n

351.2020

an

(P-8674)

340.1230

n

351.2030

an

(P-8674)

340.1235

n

351.3030

an

(P-8674)

340.1240

n

351.3040

an

(P-8674)

340.1250

n

351.4020

an

(P-8674)

340.1270

n

351.4020

an

(P-8674)

340.1310

n

351.4030

an

(P-8674)

340.1320

n

351.5010

an

(P-8674)

340.1340

n

351.5010

an

(P-8674)

340.1350

n

351.5010

an

(P-8666)

340.1360

n

351.5010

an

(P-8666)

340.1370

n

351.5010

an

(P-8666)

340.1380

n

351.5010

an

(P-8666)

340.1390

n

351.5010

an

(P-8666)

340.1400

n

351.5010

an

(P-8666)

340.1410

n

351.5010

an

(P-8666)

340.1420

n

351.5010

an

(P-8666)

340.1430

n

351.5010

an

(P-8666)

340.1440

n

351.5010

an

(P-8666)

340.1450

n

351.5010

an

(P-8666)

340.1460

n

351.5010

an

(P-8666)

340.1470

n

351.5010

an

(P-8666)

340.1480

n

351.5010

an

(P-8666)

340.1490

n

351.5010

an

(P-8666)

340.1500

n

351.5010

an

(P-8666)

340.1510

n

351.5010

an

(P-8666)

340.1520

n

351.5010

an

(P-8666)

340.1530

n

351.5010

an

(P-8666)

340.1540

n

351.5010

an

(P-8666)

340.1550

n

351.5010

an

(P-8666)

340.1560

n

351.5010

an

(P-8666)

340.1570

n

351.5010

an

(P-8666)

340.1580

n

351.5010

an

(P-8666)

340.1590

n

351.5010

an

(P-8666)

340.1600

n

351.5010

an

(P-8666)

340.1610

n

351.5010

an

(P-8666)

340.1620

n

351.5010

an

(P-8666)

340.1630

n

351.5010

an

(P-8666)

340.1640

n

351.5010

an

(P-8666)

340.1650

n

351.5010

an

(P-8666)

340.1660

n

351.5010

an

(P-8666)

340.1670

n

351.5010

an

(P-8666)

340.1680

n

351.5010

an

(P-8666)

340.1690

n

351.5010

an

(P-8666)

340.1700

n

351.5010

an

(P-8666)

340.1710

n

351.5010

an

(P-8666)

340.1720

n

351.5010

an

(P-8666)

340.1730

n

351.5010

an

(P-8666)

340.1740

n

351.5010

an

(P-8666)

340.1750

n

351.5010

an

(P-8666)

340.1760

n

351.5010

an

(P-8666)

340.1770

n

351.5010

an

(P-8666)

340.1780

n

351.5010

an

(P-8666)

340.1790

n

351.5010

an

(P-8666)

340.1800

n

351.5010

an

(P-8666)

340.1810

n

351.5010

an

(P-8666)

340.1820

n

351.5010

an

(P-8666)

340.1830

n

351.5010

an

(P-8666)

340.1840

n

351.5010

an

(P-8666)

340.1850

n

351.5010

an

(P-8666)

340.1860

n

351.5010

an

(P-8666)

340.1870

n

351.5010

an

(P-8666)

340.1880

n

351.5010

an

(P-8666)

340.1890

n

351.5010

an

(P-8666)

340.1900

n

351.5010

an

(P-8666)

340.1910

n

351.5010

an

(P-8666)

340.1920

n

351.5010

an

(P-8666)

340.1930

n

351.5010

an

(P-8666)

340.1940

n

351.5010

an

(P-8666)

340.1950

n

351.5010

an

(P-8666)

340.1960

n

351.5010

an

(P-8666)

340.1970

n

351.5010

an

(P-8666)

340.1980

n

351.5010

an

(P-8666)

340.1990

n

351.5010

an

(P-8666)

340.2000

n

351.5010

an

(P-8666)

340.2010

n

351.5010

an

(P-8666)

340.2020

n

351.5010

an

(P-8666)

340.2030

n

351.5010

an

(P-8666)

340.2040

n

351.5010

an

(P-8666)

340.2050

n

351.5010

an

(P-8666)

340.2060

n

351.5010

an

(P-8666)

340.2070

n

351.5010

an

(P-8666)

340.2080

n

351.5010

an

(P-8666)

340.2090

n

351.5010

an

(P-8666)

340.2100

n

351.5010

an

(P-8666)

340.2110

n

351.5010

an

(P-8666)

340.2120

n

351.5010

an

(P-8666)

340.2130

n

351.5010

an

(P-8666)

340.2140

n

351.5010

an

(P-8666)

340.2150

n

351.5010

an

(P-8666)

340.2160

n

351.5010

an

(P-8666)

340.2170

n

351.5010

an

(P-8666)

340.2180

n

351.5010

an

(P-8666)

340.2190

n

351.5010

an

(P-8666)

340.2200

n

351.5010

an

(P-8666)

340.2210

n

351.5010

an

(P-8666)

340.2220

n

351.5010

an

(P-8666)

340.2230

n

351.5010

an

(P-8666)

340.2240

n

351.5010

an

(P-8666)

340.2250

n

351.5010

an

(P-8666)

340.2260

n

351.5010

an

(P-8666)

340.2270

n

351.5010

an

(P-8666)

340.2280

n

351.5010

an

(P-8666)

340.2290

n

351.5010

an

(P-8666)

340.2300

n

351.5010

an

(P-8666)

340.2310

n

351.5010

an

(P-8666)

340.2320

n

351.5010

an

(P-8666)

340.2330

n

351.5010

an

(P-8666)

340.2340

n

351.5010

an

(P-8666)

340.2350

n

351.5010

an

(P-8666)

340.2360

n

351.5010

an

(P-8666)

340.2370

n

351.5010

an

(P-8666)

340.2380

n

351.5010

an

(P-8666)

340.2390

n

351.5010

an

(P-8666)

340.2400

n

351.5010

an

(P-8666)

340.2410

n

351.5010

an

(P-8666)

340.2420

n

351.5010

an

(P-8666)

340.2430

n

351.5010

an

(P-8666)

340.2440

n

351.5010

an

(P-8666)

340.2450

n

351.5010

an

(P-8666)

340.2460

n

351.5010

an

(P-8666)

340.2470

n

351.5010

an

(P-8666)

340.2480

n

351.5010

an

(P-8666)

340.2490

n

351.5010

an

(P-8666)

340.2500

n

351.5010

an

(P-8666)

340.2510

n

351.5010

an

(P-8666)

340.2520

n

351.5010

an

(P-8666)

340.2530

n

351.5010

an

(P-8666)

340.2540

n

351.5010

an

(P-8666)

340.2550

n

351.5010

an

(P-8666)

340.2560

n

351.5010

an

(P-8666)

340.2570

n

351.5010

an

(P-8666)

340.2580

n

351.5010

an

(P-8666)

340.2590

n

351.5010

an

(P-8666)

340.2600

n

351.5010

an

(P-8666)

340.2610

n

351.5010

an

(P-8666)

340.2620

n

351.5010

an

(P-8666)

340.2630

n

351.5010

an

(P-8666)

340.2640

n

351.5010

an

(P-8666)

340.2650

n

351.5010

an

(P-8666)

340.2660

n

351.5010

an

(P-8666)

340.2670

n

351.5010

an

(P-8666)

340.2680

n

351.5010

an

(P-8666)

340.2690

n

351.5010

an

(P-8666)

340.2700

n

351.5010

an

(P-8666)

340.2710

n

351.5010

an

(P-8666)

340.2720

n

351.5010

an

(P-8666)

340.2730

n

351.5010

an

(P-8666)

340.2740

n

351.5010

an

(P-8666)

340.2750

n

351.5010

an

(P-8666)

340.2760

n

351.5010

an

(P-8666)

340.2770

n

351.5010

an

(P-8666)

340.2780

n

351.5010

an

(P-8666)

340.2790

n

351.5010

an

(P-8666)

340.2800

n

351.5010

an

(P-8666)

340.2810

n

351.5010

an

(P-8666)

340.2820

n

351.5010

an

(P-8666)

340.2830

n

351.5010

an

(P-8666)

340.2840

n

351.5010

an

(P-8666)

340.2850

n

351.5010

an

(P-8666)

340.2860

n

351.5010

an

(P-8666)

340.2870

n

351.5010

an

(P-8666)

340.2880

n

351.5010

an

(P-8666)

340.2890

n

351.5010

an

(P-8666)

340.2900

n

351.5010

an

(P-8666)

340.2910

n

351.5010

an

(P-8666)

340.2920

n

351.5010

an

(P-8666)

340.2930

n

351.5010

an

(P-8666)

340.2940

n

351.5010

an

(P-8666)

340.2950

n

351.5010

an

(P-8666)

340.2960

n

351.5010

an

(P-8666)

340.2970

n

351.5010

an

(P-8666)

340.2980

n

351.5010

an

(P-8666)

340.2990

n

351.5010

an

(P-8666)

340.3000

n

351.5010

an

(P-8666)

340.3010

n

351.5010

an

(P-8666)

340.3020

n

351.5010

an

(P-8666)

340.3030

n

351.5010

an

(P-8666)

340.3040

n

351.5010

an

(P-8666)

340.3050

n

351.5010

an

(P-8666)

340.3060

n

351.5010

an

(P-8666)

340.3070

n

351.5010

an

(P-8666)

340.3080

n

351.5010

an

(P-8666)

340.3090

n

351.5010

an

(P-8666)

340.3100

n

351.5010

an

(P-8666)

340.3110

n

351.5010

an

(P-8666)

340.3120

n

351.5010

an

(P-8666)

340.3130

n

351.5010

an

(P-8666)

340.3140

n

351.5010

an

(P-8666)

340.3150

n

351.5010

an

(P-8666)

340.3160

n

351.5010

an

(P-8666)

340.3170

n

351.5010

an

(P-8666)

340.3180

n

351.5010

an

(P-8666)

340.3190

n

351.5010

an

(P-8666)

340.3200

n

351.5010

an

(P-8666)

340.3210

n

351.5010

an

(P-8666)

340.3220

n

351.5010

an

(P-8666)

340.3230

n

351.5010

an

(P-8666)

340.3240

n

351.5010

an

(P-8666)

340.3250

n

351.5010

an

(P-8666)

340.3260

n

351.5010

an

(P-8666)

340.3270

n

351.5010

an

(P-8666)

340.3280

n

351.5010

an

(P-8666)

340.3290

n

351.5010

an

(P-8666)

340.3300

n

351.5010

an

(P-8666)

340.3310

n

351.5010

an

(P-8666)

340.3320

n

351.5010

an

(P-8666)

340.3330

n

351.5010

an

(P-8666)

340.3340

n

351.5010

an

(P-8666)

340.3350

n

351.5010

an

(P-8666)

340.3360

n

351.5010

an

(P-8666)

340.3370

n

351.5010

an

(P-8666)

340.3380

n

351.5010

an

(P-8666)

340.3390

n

351.5010

an

(P-8666)

340.3400

n

351.5010

an

(P-8666)

340.3410

n

351.5010

an

(P-8666)

340.3420

n

351.5010

an

(P-8666)

340.3430

n

351.5010

an

(P-8666)

340.3440

n

351.5010

an

(P-8666)

340.3450

n

351.5010

an

(P-8666)

340.3460

n

351.5010

an

(P-8666)

340.3470

n

351.5010

an

(P-8666)

340.3480

n

351.5010

an

(P-8666)

340.3490

n

351.5010

an

(P-8666)

340.3500

n

351.5010

an

(P-8666)

340.3510

n

351.5010

an

(P-8666)

340.3520

n

351.5010

an

(P-8666)

340.3530

n

351.5010

an

(P-8666)

340.3540

n

351.5010

an

(P-8666)

340.3550

n

351.5010

an

(P-8666)

340.3560

n

351.5010

an

(P-8666)

340.3570

n

351.5010

an

(P-8666)

340.3580

n

351.5010

an</

ILLINOIS REGISTER			June 18, 1983	
Volume 17, Issue #25	SECTIONS AFFECTED INDEX			
TITLE 35 (CONT'D)				
203.801	n	(P-18019/92; A-6973)	211.090	n
211.102	an	(P-4782)	211.110	n
211.121	an	(P-4782)	211.130	n
211.122	r	(P-4782)	211.150	n
211.130	n	(P-4782)	211.170	n
211.150	n	(P-4782)	211.190	n
211.151	n	(P-4782)	211.1210	n
211.170	n	(P-4782)	211.1230	n
211.210	n	(P-4782)	211.1250	n
211.230	n	(P-4782)	211.1270	n
211.250	n	(P-4782)	211.1290	n
211.290	n	(P-4782)	211.1310	n
211.310	n	(P-4782)	211.1330	n
211.330	n	(P-4782)	211.1350	n
211.350	n	(P-4782)	211.1370	n
211.370	n	(P-4782)	211.1390	n
211.390	n	(P-4782)	211.1410	n
211.410	n	(P-4782)	211.1430	n
211.430	n	(P-4782)	211.1470	n
211.450	n	(P-4782)	211.1490	n
211.470	n	(P-4782)	211.1510	n
211.490	n	(P-4782)	211.1530	n
211.510	n	(P-4782)	211.1550	n
211.530	n	(P-4782)	211.1570	n
211.550	n	(P-4782)	211.1590	n
211.570	n	(P-4782)	211.1610	n
211.590	n	(P-4782)	211.1630	n
211.610	n	(P-4782)	211.1650	n
211.630	n	(P-4782)	211.1670	n
211.650	n	(P-4782)	211.1690	n
211.670	n	(P-4782)	211.1710	n
211.690	n	(P-4782)	211.1730	n
211.710	n	(P-4782)	211.1750	n
211.730	n	(P-4782)	211.1770	n
211.750	n	(P-4782)	211.1790	n
211.770	n	(P-4782)	211.1810	n
211.790	n	(P-4782)	211.1830	n
211.810	n	(P-4782)	211.1850	n
211.830	n	(P-4782)	211.1870	n
211.850	n	(P-4782)	211.1890	n
211.870	n	(P-4782)	211.1910	n
211.890	n	(P-4782)	211.1930	n
211.910	n	(P-4782)	211.1950	n
211.930	n	(P-4782)	211.1970	n
211.950	n	(P-4782)	211.1990	n
211.970	n	(P-4782)	211.2010	n
211.990	n	(P-4782)	211.2030	n
211.1010	n	(P-4782)	211.2050	n
211.1050	n	(P-4782)	211.2070	n
			211.2090	n

ILLINOIS REGISTER
SECTIONS AFFECTED INDEX

June 18, 1993

Volume 17, Issue #25

TITLE 35 (CONT'D)

211.2110	n	(P-4782)
211.2130	n	(P-4782)
211.2150	n	(P-4782)
211.2170	n	(P-4782)
211.2190	n	(P-4782)
211.2210	n	(P-4782)
211.2230	n	(P-4782)
211.2250	n	(P-4782)
211.2270	n	(P-4782)
211.2290	n	(P-4782)
211.2310	n	(P-4782)
211.2330	n	(P-4782)
211.2350	n	(P-4782)
211.2370	n	(P-4782)
211.2390	n	(P-4782)
211.2410	n	(P-4782)
211.2430	n	(P-4782)
211.2450	n	(P-4782)
211.2470	n	(P-4782)
211.2490	n	(P-4782)
211.2510	n	(P-4782)
211.2530	n	(P-4782)
211.2550	n	(P-4782)
211.2570	n	(P-4782)
211.2590	n	(P-4782)
211.2650	n	(P-4782)
211.2670	n	(P-4782)
211.2690	n	(P-4782)
211.2710	n	(P-4782)
211.2730	n	(P-4782)
211.2750	n	(P-4782)
211.2770	n	(P-4782)
211.2790	n	(P-4782)
211.2810	n	(P-4782)
211.2830	n	(P-4782)
211.2850	n	(P-4782)
211.2870	n	(P-4782)
211.2890	n	(P-4782)
211.2910	n	(P-4782)
211.2930	n	(P-4782)
211.2950	n	(P-4782)
211.2970	n	(P-4782)
211.2990	n	(P-4782)
211.3010	n	(P-4782)
211.3030	n	(P-4782)
211.3050	n	(P-4782)
211.3070	n	(P-4782)
211.3090	n	(P-4782)
211.3110	n	(P-4782)

SAL-12

ILLINOIS REGISTER
SECTIONS AFFECTED INDEX

June 18, 1993

Volume 17, Issue #25

TITLE 35 (CONT'D)

211.4130	n	(P-4782)
211.4150	n	(P-4782)
211.4170	n	(P-4782)
211.4190	n	(P-4782)
211.4210	n	(P-4782)
211.4230	n	(P-4782)
211.4250	n	(P-4782)
211.4270	n	(P-4782)
211.4290	n	(P-4782)
211.4310	n	(P-4782)
211.4330	n	(P-4782)
211.4350	n	(P-4782)
211.4370	n	(P-4782)
211.4390	n	(P-4782)
211.4410	n	(P-4782)
211.4430	n	(P-4782)
211.4450	n	(P-4782)
211.4470	n	(P-4782)
211.4490	n	(P-4782)
211.4510	n	(P-4782)
211.4530	n	(P-4782)
211.4550	n	(P-4782)
211.4570	n	(P-4782)
211.4590	n	(P-4782)
211.4610	n	(P-4782)
211.4630	n	(P-4782)
211.4650	n	(P-4782)
211.4670	n	(P-4782)
211.4690	n	(P-4782)
211.4710	n	(P-4782)
211.4730	n	(P-4782)
211.4750	n	(P-4782)
211.4770	n	(P-4782)
211.4790	n	(P-4782)
211.4810	n	(P-4782)
211.4830	n	(P-4782)
211.4850	n	(P-4782)
211.4870	n	(P-4782)
211.4890	n	(P-4782)
211.4910	n	(P-4782)
211.4930	n	(P-4782)
211.4950	n	(P-4782)
211.4970	n	(P-4782)
211.5030	n	(P-4782)
211.5050	n	(P-4782)
211.5070	n	(P-4782)
211.5110	n	(P-4782)
211.5150	n	(P-4782)
211.5170	n	(P-4782)

SAL-13

ILLINOIS REGISTER			ILLINOIS REGISTER		
SECTIONS AFFECTED INDEX			SECTIONS AFFECTED INDEX		
Volume 17, Issue #25	June 18, 1993		Volume 17, Issue #25	June 18, 1993	
TITLE 35 (CONT'D)			TITLE 35 (CONT'D)		
211.6370 n	(P-4782)	n	211.7330 n	(P-4782)	n
211.6380 n	(P-4782)	n	211.7340 n	(P-4782)	n
211.6390 n	(P-4782)	n	218.100 n	(P-4905)	n
211.6390 n	(P-4782)	n	218.101 r	(P-4905)	r
211.6390 n	(P-4782)	n	218.102 n	(P-4905)	n
211.6390 n	(P-4782)	n	218.103 am	(P-4905)	am
211.6390 n	(P-4782)	n	218.104 am	(P-4905)	am
211.6410 n	(P-4782)	n	218.105 am	(P-4905)	am
211.6450 n	(P-4782)	n	218.106 am	(P-4905)	am
211.6470 n	(P-4782)	n	218.107 am	(P-4905)	am
211.6490 n	(P-4782)	n	218.109 am	(P-4905)	am
211.6510 n	(P-4782)	n	218.110 am	(P-4905)	am
211.6530 n	(P-4782)	n	218.111 am	(P-4905)	am
211.6550 n	(P-4782)	n	218.112 am	(P-4905)	am
211.6570 n	(P-4782)	n	218.121 am	(P-4905)	am
211.6590 n	(P-4782)	n	218.122 am	(P-4905)	am
211.6610 n	(P-4782)	n	218.123 am	(P-4905)	am
211.6660 n	(P-4782)	n	218.124 am	(P-4905)	am
211.6690 n	(P-4782)	n	218.125 am	(P-4905)	am
211.6730 n	(P-4782)	n	218.126 am	(P-4905)	am
211.6750 n	(P-4782)	n	218.141 am	(P-4905)	am
211.6770 n	(P-4782)	n	218.143 am	(P-4905)	am
211.6790 n	(P-4782)	n	218.144 am	(P-4905)	am
211.6810 n	(P-4782)	n	218.181 am	(P-4905)	am
211.6850 n	(P-4782)	n	218.182 am	(P-4905)	am
211.6870 n	(P-4782)	n	218.183 am	(P-4905)	am
211.6890 n	(P-4782)	n	218.184 am	(P-4905)	am
211.6910 n	(P-4782)	n	218.185 r	(P-4905)	r
211.6930 n	(P-4782)	n	218.186 am	(P-4905)	am
211.6950 n	(P-4782)	n	218.204 am	(P-4905)	am
211.6970 n	(P-4782)	n	218.205 am	(P-4905)	am
211.7000 n	(P-4782)	n	218.206 am	(P-4905)	am
211.7010 n	(P-4782)	n	218.207 am	(P-4905)	am
211.7030 n	(P-4782)	n	218.208 am	(P-4905)	am
211.7070 n	(P-4782)	n	218.209 am	(P-4905)	am
211.7090 n	(P-4782)	n	218.211 am	(P-4905; C-6520)	am
211.7110 n	(P-4782)	n	218.301 am	(P-4905; C-6520)	am
211.7130 n	(P-4782)	n	218.302 am	(P-4905; C-6520)	am
211.7150 n	(P-4782)	n	218.303 am	(P-4905; C-6520)	am
211.7170 n	(P-4782)	n	218.304 am	(P-4905; C-6520)	am
211.7190 n	(P-4782)	n	218.401 am	(P-4905; C-6520)	am
211.7210 n	(P-4782)	n	218.402 am	(P-4905)	am
211.7230 n	(P-4782)	n	218.403 am	(P-4905)	am
211.7250 n	(P-4782)	n	218.404 am	(P-4905)	am
211.7270 n	(P-4782)	n	218.405 am	(P-4905)	am
211.7290 n	(P-4782)	n	218.421 am	(P-4905)	am
211.7310 n	(P-4782)	n	218.422 am	(P-4905)	am

Volume 17, Issue #25	ILLINOIS REGISTER	June 18, 1993
TITLE 35 (CONT'D)	SECTIONS AFFECTED INDEX	
218. An.D am	(P-4905)	219.424 am (P-5169)
218. An.D am	(P-5169)	219.425 am (P-5169)
219.100 am	(P-5169)	219.426 am (P-5169)
219.101 f	(P-5169)	219.427 am (P-5169)
219.101 n	(P-5169)	219.428 am (P-5169)
219.102 am	(P-5169)	219.429 am (P-5169)
219.104 am	(P-5169)	219.430 f (P-5169)
219.105 am	(P-5169)	219.441 am (P-5169)
219.106 am	(P-5169)	219.443 am (P-5169)
219.107 am	(P-5169)	219.445 am (P-5169)
219.109 am	(P-5169)	219.446 am (P-5169)
219.110 am	(P-5169)	219.447 am (P-5169)
219.111 am	(P-5169)	219.449 am (P-5169)
219.112 am	(P-5169)	219.450 am (P-5169)
219.121 am	(P-5169)	219.452 am (P-5169)
219.122 am	(P-5169)	219.453 f (P-5169)
219.123 am	(P-5169)	219.461 am (P-5169)
219.124 am	(P-5169)	219.462 am (P-5169)
219.125 f	(P-5169)	219.463 am (P-5169)
219.126 f	(P-5169)	219.464 am (P-5169)
219.141 am	(P-5169)	219.465 f (P-5169)
219.143 am	(P-5169)	219.466 f (P-5169)
219.144 am	(P-5169)	219.480 am (P-5169)
219.181 am	(P-5169)	219.481 am (P-5169)
219.182 am	(P-5169)	219.482 am (P-5169)
219.183 am	(P-5169)	219.483 am (P-5169)
219.184 am	(P-5169)	219.485 am (P-5169)
219.185 f	(P-5169)	219.486 am ^a (P-5169)
219.186 am	(P-5169)	219.487 am (P-5169)
219.204 am	(P-5169)	219.489 am (P-5169)
219.205 am	(P-5169)	219.521 f (P-5169)
219.206 am	(P-5169)	219.525 am (P-5169)
219.207 am	(P-5169)	219.527 f (P-5169)
219.208 am	(P-5169)	219.541 am (P-5169)
219.209 am	(P-5169)	219.562 am (P-5169)
219.210 am	(P-5169)	219.581 am (P-5169)
219.211 am	(P-5169)	219.582 am (P-5169)
219.301 am	(P-5169)	219.583 am (P-5169)
219.302 am	(P-5169)	219.584 am (P-5169)
219.303 am	(P-5169)	219.585 am (P-5169)
219.304 am	(P-5169)	219.586 am (P-5169) (E-8295)
219.401 am	(P-5169)	219.601 am (P-5169)
219.402 am	(P-5169)	219.602 am (P-5169)
219.403 am	(P-5169)	219.603 am (P-5169)
219.404 am	(P-5169)	219.604 f (P-5169)
219.405 am	(P-5169)	219.605 f (P-5169)
219.421 am	(P-5169)	219.606 f (P-5169)
219.422 am	(P-5169)	219.607 am (P-5169)
219.423 am	(P-5169)	219.609 am (P-5169)

Volume 17, Issue #25	ILLINOIS REGISTER	June 18, 1993
SECTIONS AFFECTED INDEX		
TITLE 35 (CONT'D)		
219.610 am	(P-5169)	254.101 n
219.611 am	(P-5169)	254.102 n
219.612 am	(P-5169)	254.103 n
219.613 f	(P-5169)	254.104 n
219.613 am	(P-5169)	254.105 n
219.620 am	(P-5169)	254.106 n
219.621 am	(P-5169)	254.107 n
219.623 am	(P-5169)	254.108 n
219.624 am	(P-5169)	254.109 n
219.628 am	(P-5169)	254.110 n
219.636 am	(P-5169)	254.111 n
219.637 am	(P-5169)	254.112 n
219.640 #	(P-5169)	254.130 n
219.640 am	(P-5169)	254.131 n
219.642 #	(P-5169)	254.132 n
219.644 #	(P-5169)	254.133 n
219.644 am	(P-5169)	254.134 n
219.875 am	(P-5169)	254.135 n
219.877 #	(P-5169)	254.136 n
219.879 f	(P-5169)	254.201 n
219.881 f	(P-5169)	254.202 n
219.883 #	(P-5169)	254.203 n
219.886 #	(P-5169)	254.204 n
219.920 am	(P-5169)	254.301 n
219.923 am	(P-5169)	254.302 n
219.926 am	(P-5169)	254.303 n
219.927 am	(P-5169)	254.304 n
219.928 am	(P-5169)	254.305 n
219.940 am	(P-5169)	254.306 n
219.943 am	(P-5169)	254.401 n
219.946 am	(P-5169)	254.402 n
219.947 am	(P-5169)	254.403 n
219.948 am	(P-5169)	254.404 n
219.960 am	(P-5169)	320.101 n
219.963 am	(P-5169)	320.102 n
219.966 am	(P-5169)	320.103 n
219.967 am	(P-5169)	320.104 n
219.968 am	(P-5169)	320.105 n
219.980 am	(P-5169)	320.201 n
219.983 am	(P-5169)	320.202 n
219.986 am	(P-5169)	320.203 n
219.987 am	(P-5169)	320.204 n
219.988 am	(P-5169)	320.301 n
219.990 am	(P-5169)	320.302 n
219.991 am	(P-5169)	604.101 f
219.992 am	(P-5169)	604.102 f
219.993 am	(P-5169)	604.103 f
219.994 am	(P-5169)	604.104 f
219.995 am	(P-5169)	604.105 f
219.996 am	(P-5169)	604.106 f
219.997 am	(P-5169)	604.107 f
219.998 am	(P-5169)	604.108 f
219.999 am	(P-5169)	604.109 f
219.1000 am	(P-5169)	604.110 f
219.1001 am	(P-5169)	604.111 f
219.1002 am	(P-5169)	604.112 f
219.1003 am	(P-5169)	604.113 f
219.1004 am	(P-5169)	604.114 f
219.1005 am	(P-5169)	604.115 f
219.1006 am	(P-5169)	604.116 f
219.1007 am	(P-5169)	604.117 f
219.1008 am	(P-5169)	604.118 f
219.1009 am	(P-5169)	604.119 f
219.1010 am	(P-5169)	604.120 f
219.1011 am	(P-5169)	604.121 f
219.1012 am	(P-5169)	604.122 f
219.1013 am	(P-5169)	604.123 f
219.1014 am	(P-5169)	604.124 f
219.1015 am	(P-5169)	604.125 f
219.1016 am	(P-5169)	604.126 f
219.1017 am	(P-5169)	604.127 f
219.1018 am	(P-5169)	604.128 f
219.1019 am	(P-5169)	604.129 f
219.1020 am	(P-5169)	604.130 f
219.1021 am	(P-5169)	604.131 f
219.1022 am	(P-5169)	604.132 f
219.1023 am	(P-5169)	604.133 f
219.1024 am	(P-5169)	604.134 f
219.1025 am	(P-5169)	604.135 f
219.1026 am	(P-5169)	604.136 f
219.1027 am	(P-5169)	604.137 f
219.1028 am	(P-5169)	604.138 f
219.1029 am	(P-5169)	604.139 f
219.1030 am	(P-5169)	604.140 f
219.1031 am	(P-5169)	604.141 f
219.1032 am	(P-5169)	604.142 f
219.1033 am	(P-5169)	604.143 f
219.1034 am	(P-5169)	604.144 f
219.1035 am	(P-5169)	604.145 f
219.1036 am	(P-5169)	604.146 f
219.1037 am	(P-5169)	604.147 f
219.1038 am	(P-5169)	604.

ILLINOIS REGISTER			ILLINOIS REGISTER		
Volume 17, Issue #25	SECTIONS AFFECTED INDEX	June 18, 1993	Volume 17, Issue #25	SECTIONS AFFECTED INDEX	June 18, 1993
TITLE 35 (CONT'D)			TITLE 35 (CONT'D)		
604.401 r	(P-7621)	611.612 am	(P-2533; A-7796)	724.410 am	(P-16970/92; A-5806)
605.101 r	(P-7682; A-7943)	611.630 am	(P-7629)	724.673 am	(P-16970/92; A-5806)
605.102 r	(P-7682; A-7943)	611.640 am	(P-2533; A-7796)	725.113 am	(P-16831/92; A-5681)
605.109 r	(P-7738)	611.646 am	(P-7629)	725.115 am	(P-16831/92; A-5681)
611.101 am	(P-2533; A-7796)		(P-2533; A-7796)	725.119 n	(P-16831/92; A-5681)
	(P-7629)		(P-7629)	725.173 am	(P-16831/92; A-5681)
611.102 am	(P-2533; A-7796)	611.647 am	(P-2533; A-7796)	725.321 am	(P-16831/92; A-5681)
	(P-7629)	611.648 am	(P-2533; A-7796)	725.322 r	(P-16831/92; A-5681)
611.107 n	(P-7996)		(P-7629)	725.323 r	(P-16831/92; A-5681)
611.110 am	(P-2533; A-7796)	611.Ap.A am	(P-2533; A-7796)	725.323 n	(P-16831/92; A-5681)
611.111 am	(P-7629)		(P-7629)	725.324 n	(P-16831/92; A-5681)
611.112 am	(P-2533; A-7796)	611.Ap.E n	(P-2533; A-7796)	725.326 am	(P-16831/92; A-5681)
611.113 am	(P-2533; A-7796)	611.Tr.D #	(P-2533; A-7796)	725.328 am	(P-16831/92; A-5681)
611.130 n	(P-2533; A-7796)	611.Tr.E n	(P-2533; A-7796)	725.354 am	(P-16831/92; A-5681)
	(P-7629)	611.Tr.F n	(P-2533; A-7796)	725.355 n	(P-16831/92; A-5681)
611.240 am	(P-7629)	611.Tr.G n	(P-2533; A-7796)	725.359 n	(P-16831/92; A-5681)
611.280 am	(P-2533; A-7796)	611.Tr.H n	(P-2533; A-7796)	725.360 n	(P-16831/92; A-5681)
611.290 am	(P-2533; A-7796)	611.Tr.I #	(P-2533; A-7796)	725.401 am	(P-16831/92; A-5681)
611.297 n	(P-2533; A-7796)		(P-7629)	725.402 r	(P-16831/92; A-5681)
611.300 am	(P-2533; A-7796)		(P-16663/92; A-1871)	725.403 n	(P-16831/92; A-5681)
611.301 am	(P-7629)	615.105 am	(P-16473/92; A-1878)	725.404 n	(P-16831/92; A-5681)
	(P-2533; A-7796)	616.105 am	(P-16924/92; A-5769)	725.410 am	(P-16831/92; A-5681)
611.310 am	(P-7629)	702.181 am	(P-16930/92; A-5774)	725.410 n	(P-16831/92; A-5681)
611.311 am	(P-7629)	703.203 am	(P-16930/92; A-5774)	726.200 am	(P-17028/92; A-5865)
	(P-2533; A-7796)	703.204 am	(P-16930/92; A-5774)	728.103 am	(P-16878/92; A-5727)
611.330 am	(P-7629)	703.207 am	(P-16930/92; A-5774)	728.135 am	(P-16878/92; A-5727)
611.350 am	(P-2533; A-7796)	703.Ap.A n	(P-16776/92; A-5625)	728.141 am	(P-16878/92; A-5727)
611.351 n	(P-2533; A-7796)	720.110 am	(P-16776/92; A-5625)	728.142 am	(P-16878/92; A-5727)
611.352 n	(P-2533; A-7796)	721.103 am	(P-16801/92; A-5650)	728.142 n	(P-16878/92; A-5727)
611.353 n	(P-2533; A-7796)	721.104 am	(P-16801/92; A-5650)	728.142 n	(P-16878/92; A-5727)
611.354 n	(P-2533; A-7796)	721.111 am	(P-16801/92; A-5650)	728.142 n	(P-16878/92; A-5727)
611.355 n	(P-2533; A-7796)	724.113 am	(P-16970/92; A-5806)	728.142 n	(P-16878/92; A-5727)
611.356 n	(P-2533; A-7796)	724.115 am	(P-16970/92; A-5806)	728.142 n	(P-16878/92; A-5727)
611.357 r	(P-2533; A-7796)	724.119 am	(P-16970/92; A-5806)	728.142 n	(P-16878/92; A-5727)
611.358 am	(P-2533; A-7796)	724.173 am	(P-16970/92; A-5806)	728.142 n	(P-16878/92; A-5727)
611.359 am	(P-2533; A-7796)	724.321 am	(P-16970/92; A-5806)	728.142 n	(P-16878/92; A-5727)
611.360 am	(P-2533; A-7796)	724.322 am	(P-16970/92; A-5806)	728.142 n	(P-16878/92; A-5727)
611.361 am	(P-2533; A-7796)	724.323 am	(P-16970/92; A-5806)	728.142 n	(P-16878/92; A-5727)
611.362 am	(P-7629)	724.328 am	(P-16970/92; A-5806)	728.142 n	(P-16878/92; A-5727)
611.521 am	(P-2533; A-7796)	724.351 am	(P-16970/92; A-5806)	728.142 n	(P-16878/92; A-5727)
611.560 am	(P-2533; A-7796)	724.352 n	(P-16970/92; A-5806)	728.142 n	(P-16878/92; A-5727)
611.600 am	(P-7629)	724.353 n	(P-16970/92; A-5806)	728.142 n	(P-16878/92; A-5727)
611.601 am	(P-7629)	724.354 am	(P-16970/92; A-5806)	728.142 n	(P-16878/92; A-5727)
611.603 am	(P-7629)	724.401 am	(P-16970/92; A-5806)	728.142 n	(P-16878/92; A-5727)
611.609 am	(P-7629)	724.402 am	(P-16970/92; A-5806)	728.142 n	(P-16878/92; A-5727)
611.611 am	(P-2533; A-7796)	724.403 am	(P-16970/92; A-5806)	728.142 n	(P-16878/92; A-5727)
	(P-7629)	724.404 n	(P-16970/92; A-5806)	728.142 n	(P-16878/92; A-5727)
TITLE 38			TITLE 38		
		738.110 am	(P-8423)	130.10 am	(P-6929)
		738.117 am	(P-8423)	130.30 am	(P-6929)
		810.103 am	(P-8702)	130.60 am	(P-6929)
		810.104 am	(P-8702)	180.10 am	(P-14006/92; A-123)
		811.101 am	(P-8726)	180.22 n	(P-14006/92; A-123)
		811.171 am	(P-8726)	180.22 n	(P-14006/92; A-123)
		811.110 am	(P-8726)	180.30 am	(P-14006/92; A-123)
		811.111 am	(P-8726)	180.85 am	(P-5900; E-631)
		811.112 am	(P-8726)	180.94 n	(P-14006/92; A-123)
		811.302 am	(P-8726)	180.100 am	(P-14006/92; A-123)
		811.319 am	(P-8726)	190.35 am	(P-6599)
		811.323 am	(P-8726)	190.70 am	(P-6599)
		811.324 am	(P-8726)	190.75 am	(P-6599)
		811.325 n	(P-8726)	190.165 am	(P-6599)

ILLINOIS REGISTER			June 18, 1999	
Volume 17, Issue #25	SECTIONS AFFECTED INDEX			
TITLE 38 (CONT'D)				
400.1740 re	(A-4664)	400.2410 re	(A-4664)	
400.1750 re	(A-4664)	400.2420 re	(A-4664)	
400.1760 re	(A-4664)	400.2500 re	(A-4664)	
400.1770 re	(A-4664)	400.2510 re	(A-4664)	
400.1770 re	(A-4664)	400.2520 re	(A-4664)	
400.1780 re	(A-4664)	400.2530 re	(A-4664)	
400.1790 re	(A-4664)	400.2540 re	(A-4664)	
400.1800 re	(A-4664)	400.2550 re	(A-4664)	
400.1810 re	(A-4664)	400.2700 re	(A-4664)	
400.1905 re	(A-4664)	400.2710 re	(A-4664)	
400.1910 re	(A-4664)	450.110 re	(A-4475)	
400.1915 re	(A-4664)	450.115 re	(A-4475)	
400.1920 re	(A-4664)	450.120 re	(A-4475)	
400.1925 re	(A-4664)	450.125 re	(A-4475)	
400.1935 re	(A-4664)	450.130 re	(A-4475)	
400.1935 re	(A-4664)	450.135 n	(P-17570/92; A-3513)	
400.1940 re	(A-4664)	450.140 re	(A-4475)	
400.1945 re	(A-4664)	450.145 n	(P-17570/92; A-3513)	
400.1950 re	(A-4664)	450.150 re	(A-4475)	
400.1955 re	(A-4664)	450.155 re	(A-4475)	
400.1970 re	(A-4664)	450.160 n	(P-17570/92; A-3513)	
400.1972 re	(A-4664)	450.165 n	(P-17570/92; A-3513)	
400.1975 re	(A-4664)	450.165 re	(A-4475)	
400.1980 re	(A-4664)	450.170 re	(A-4475)	
400.1982 re	(A-4664)	450.175 am	(P-17570/92; A-3513)	
400.1985 re	(A-4664)	450.175 re	(A-4475)	
400.1990 re	(A-4664)	450.185 re	(A-4475)	
400.1993 re	(A-4664)	450.210 re	(P-17570/92; A-3513)	
400.1997 re	(A-4664)	450.220 am	(P-17570/92; A-3513)	
400.2005 re	(A-4664)	450.220 re	(A-4475)	
400.2010 re	(A-4664)	450.230 re	(A-4475)	
400.2020 re	(A-4664)	450.240 re	(A-4475)	
400.2030 re	(A-4664)	450.240 re	(A-4475)	
400.2040 re	(A-4664)	450.250 re	(A-4475)	
400.2050 re	(A-4664)	450.255 re	(A-4475)	
400.2055 re	(A-4664)	450.260 am	(P-17570/92; A-3513)	
400.2060 re	(A-4664)	450.260 re	(A-4475)	
400.2070 re	(A-4664)	450.270 re	(A-4475)	
400.2105 re	(A-4664)	450.280 re	(A-4475)	
400.2110 re	(A-4664)	450.290 re	(A-4475)	
400.2120 re	(A-4664)	450.310 re	(A-4475)	
400.2200 re	(A-4664)	450.320 re	(A-4475)	
400.2300 re	(A-4664)	450.330 re	(A-4475)	
400.2310 re	(A-4664)	450.340 re	(A-4475)	
400.2320 re	(A-4664)	450.350 re	(A-4475)	
400.2330 re	(A-4664)	450.410 am	(P-17570/92; A-3513)	
400.2340 re	(A-4664)	450.410 re	(A-4475)	
400.2400 re	(A-4664)			

VOLUME 17, Issue #25		ILLINOIS REGISTER		June 18, 1993	
TITILE 38 (CONT'D)		SECTIONS AFFECTED INDEX			
400,110 re	(A-4464)	400,1080 re	(A-4464)		
400,120 re	(A-4464)	400,1090 re	(A-4464)		
400,130 re	(A-4464)	400,1110 re	(A-4464)		
400,140 re	(A-4464)	400,1120 re	(A-4464)		
400,141 re	(A-4464)	400,1130 re	(A-4464)		
400,142 re	(A-4464)	400,1140 re	(A-4464)		
400,143 re	(A-4464)	400,1150 re	(A-4464)		
400,150 re	(A-4464)	400,1160 re	(A-4464)		
400,205 re	(A-4464)	400,1170 re	(A-4464)		
400,210 re	(A-4464)	400,1180 re	(A-4464)		
400,220 re	(A-4464)	400,1190 re	(A-4464)		
400,223 re	(A-4464)	400,1200 re	(A-4464)		
400,240 re	(A-4464)	400,1210 re	(A-4464)		
400,250 re	(A-4464)	400,1310 re	(A-4464)		
400,260 re	(A-4464)	400,1320 re	(A-4464)		
400,270 re	(A-4464)	400,1330 re	(A-4464)		
400,280 re	(A-4464)	400,1340 re	(A-4464)		
400,290 re	(A-4464)	400,1410 re	(A-4464)		
400,310 re	(A-4464)	400,1420 re	(A-4464)		
400,410 re	(A-4464)	400,1430 re	(A-4464)		
400,420 re	(A-4464)	400,1440 re	(A-4464)		
400,430 re	(A-4464)	400,1450 re	(A-4464)		
400,440 re	(A-4464)	400,1460 re	(A-4464)		
400,510 re	(A-4464)	400,1470 re	(A-4464)		
400,615 re	(A-4464)	400,1480 re	(A-4464)		
400,616 re	(A-4464)	400,1510 re	(A-4464)		
400,620 re	(A-4464)	400,1520 re	(A-4464)		
400,630 re	(A-4464)	400,1530 re	(A-4464)		
400,640 re	(A-4464)	400,1540 re	(A-4464)		
400,650 re	(A-4464)	400,1550 re	(A-4464)		
400,660 re	(A-4464)	400,1560 re	(A-4464)		
400,665 re	(A-4464)	400,1570 re	(A-4464)		
400,675 re	(A-4464)	400,1580 re	(A-4464)		
400,678 re	(A-4464)	400,1590 re	(A-4464)		
400,680 re	(A-4464)	400,1600 re	(A-4464)		
400,690 re	(A-4464)	400,1610 re	(A-4464)		
400,700 re	(A-4464)	400,1620 re	(A-4464)		
400,710 re	(A-4464)	400,1630 re	(A-4464)		
400,720 re	(A-4464)	400,1640 re	(A-4464)		
400,810 re	(A-4464)	400,1650 re	(A-4464)		
400,910 re	(A-4464)	400,1660 re	(A-4464)		
400,1010 re	(A-4464)	400,1670 re	(A-4464)		
400,1020 re	(A-4464)	400,1680 re	(A-4464)		
400,1030 re	(A-4464)	400,1690 re	(A-4464)		
400,1040 re	(A-4464)	400,1700 re	(A-4464)		
400,1050 re	(A-4464)	400,1710 re	(A-4464)		
400,1060 re	(A-4464)	400,1720 re	(A-4464)		
400,1070 re	(A-4464)	400,1730 re	(A-4464)		

ILLINOIS REGISTER

SECTIONS AFFECTED INDEX

June 18, 1993

ILLINOIS REGISTER

SECTIONS AFFECTED INDEX

June 18, 1993

TITLE 38 (CONT'D)

450.420	re	(A-4475)	450.1230	re	(A-4475)
450.421	re	(A-4475)	450.1240	re	(A-4475)
450.422	re	(P-1757092; A-3513)	450.1250	re	(A-4475)
450.423	re	(A-4475)	450.1305	re	(A-4475)
450.430	re	(A-4475)	450.1310	re	(A-4475)
450.440	re	(A-4475)	450.1315	re	(A-4475)
450.450	re	(A-4475)	450.1320	re	(A-4475)
450.460	re	(A-4475)	450.1325	re	(A-4475)
450.470	re	(A-4475)	450.1330	re	(A-4475)
450.475	re	(A-4475)	450.1335	am	(P-1757092; A-3513)
450.480	re	(A-4475)	450.1340	re	(A-4475)
450.490	re	(A-4475)	450.1345	re	(A-4475)
450.610	re	(A-4475)	450.1350	re	(A-4475)
450.620	re	(A-4475)	450.1355	re	(A-4475)
450.630	re	(A-4475)	450.1360	re	(A-4475)
450.640	re	(A-4475)	450.1410	re	(A-4475)
450.650	re	(A-4475)	450.1420	re	(A-4475)
450.660	re	(A-4475)	450.1510	re	(A-4475)
450.710	re	(A-4475)	450.1520	re	(A-4475)
450.720	re	(A-4475)	450.1530	re	(A-4475)
450.740	re	(A-4475)	450.1540	re	(A-4475)
450.750	re	(A-4475)	450.1550	re	(A-4475)
450.810	re	(A-4475)	450.1560	re	(A-4475)
450.820	re	(A-4475)	450.1570	re	(A-4475)
450.830	re	(A-4475)	450.1580	re	(A-4475)
450.840	re	(A-4475)	450.1590	re	(A-4475)
450.850	re	(A-4475)	450.1595	re	(A-4475)
450.860	re	(A-4475)	450.1600	re	(A-4475)
450.910	re	(A-4475)	450.1610	re	(A-4475)
450.920	re	(A-4475)	450.1620	re	(A-4475)
450.930	re	(A-4475)	450.1630	re	(A-4475)
450.940	am	(P-1757092; A-3513)	450.1640	re	(A-4475)
450.940	re	(A-4475)	450.1650	re	(A-4475)
450.950	re	(A-4475)	450.1660	re	(A-4475)
450.1010	re	(A-4475)	450.1670	re	(A-4475)
450.1020	am	(P-1757092; A-3513)	450.1680	re	(A-4475)
450.1030	re	(A-4475)	450.1690	re	(A-4475)
450.1110	re	(A-4475)	450.1700	re	(A-4475)
450.1120	re	(A-4475)	450.1720	re	(A-4475)
450.1130	re	(A-4475)	450.1730	re	(A-4475)
450.1140	re	(A-4475)	450.1740	re	(A-4475)
450.1150	re	(A-4475)	450.1750	re	(A-4475)
450.1160	re	(A-4475)	450.1760	re	(A-4475)
450.1170	re	(A-4475)	450.1770	re	(A-4475)
450.1175	re	(A-4475)	450.1790	re	(A-4475)
450.1210	re	(A-4475)	1000.110	re	(A-4464)
450.1220	re	(A-4475)	1000.130	re	(A-4464)

SAI-22

TITLE 38 (CONT'D)

1000.140	re	(A-4464)	1000.1120	re	(A-4464)
1000.141	re	(A-4464)	1000.1130	re	(A-4464)
1000.142	re	(A-4464)	1000.1140	re	(A-4464)
1000.150	re	(A-4464)	1000.1150	re	(A-4464)
1000.155	re	(A-4464)	1000.1160	re	(A-4464)
1000.200	re	(A-4464)	1000.1170	re	(A-4464)
1000.210	re	(A-4464)	1000.1180	re	(A-4464)
1000.220	re	(A-4464)	1000.1190	re	(A-4464)
1000.230	re	(A-4464)	1000.1200	re	(A-4464)
1000.240	re	(A-4464)	1000.1210	re	(A-4464)
1000.250	re	(A-4464)	1000.1220	re	(A-4464)
1000.260	re	(A-4464)	1000.1310	re	(A-4464)
1000.270	re	(A-4464)	1000.1320	re	(A-4464)
1000.280	re	(A-4464)	1000.1330	re	(A-4464)
1000.290	re	(A-4464)	1000.1340	re	(A-4464)
1000.310	re	(A-4464)	1000.1410	re	(A-4464)
1000.410	re	(A-4464)	1000.1420	re	(A-4464)
1000.420	re	(A-4464)	1000.1430	re	(A-4464)
1000.430	re	(A-4464)	1000.1440	re	(A-4464)
1000.440	re	(A-4464)	1000.1450	re	(A-4464)
1000.510	re	(A-4464)	1000.1470	re	(A-4464)
1000.615	re	(A-4464)	1000.1480	re	(A-4464)
1000.630	re	(A-4464)	1000.1510	re	(A-4464)
1000.640	re	(A-4464)	1000.1520	re	(A-4464)
1000.650	re	(A-4464)	1000.1530	re	(A-4464)
1000.660	re	(A-4464)	1000.1540	re	(A-4464)
1000.665	re	(A-4464)	1000.1550	re	(A-4464)
1000.670	re	(A-4464)	1000.1560	re	(A-4464)
1000.675	re	(A-4464)	1000.1570	re	(A-4464)
1000.680	re	(A-4464)	1000.1580	re	(A-4464)
1000.690	re	(A-4464)	1000.1590	re	(A-4464)
1000.700	re	(A-4464)	1000.1600	re	(A-4464)
1000.710	re	(A-4464)	1000.1610	re	(A-4464)
1000.720	re	(A-4464)	1000.1620	re	(A-4464)
1000.810	re	(A-4464)	1000.1630	re	(A-4464)
1000.910	re	(A-4464)	1000.1640	re	(A-4464)
1000.1010	re	(A-4464)	1000.1650	re	(A-4464)
1000.1020	re	(A-4464)	1000.1660	re	(A-4464)
1000.1030	re	(A-4464)	1000.1670	re	(A-4464)
1000.1040	re	(A-4464)	1000.1680	re	(A-4464)
1000.1050	re	(A-4464)	1000.1690	re	(A-4464)
1000.1060	re	(A-4464)	1000.1700	re	(A-4464)
1000.1070	re	(A-4464)	1000.1710	re	(A-4464)
1000.1080	re	(A-4464)	1000.1720	re	(A-4464)
1000.1090	re	(A-4464)	1000.1730	re	(A-4464)
1000.1110	re	(A-4464)	1000.1740	re	(A-4464)
			1000.1750	re	(A-4464)
			1000.1760	re	(A-4464)

SAI-23

ILLINOIS REGISTER

SECTIONS AFFECTED INDEX

June 18, 1993

Volume 17, Issue #25

ILLINOIS REGISTER

SECTIONS AFFECTED INDEX

June 18, 1993

TITLE 38 (CONT'D)

1000.1770 re (A-4464)
 1000.1770 re (A-4464)
 1000.1780 re (A-4464)
 1000.1780 re (A-4464)
 1000.1790 re (A-4464)
 1000.1790 re (A-4464)
 1000.1810 re (A-4464)
 1000.1810 re (A-4464)
 1000.1905 re (A-4475)
 1000.1910 re (A-4475)
 1000.1910 re (A-4475)
 1000.1920 re (A-4464)
 1000.1920 re (A-4464)
 1000.1925 re (A-4464)
 1000.1930 re (A-4464)
 1000.1935 re (A-4464)
 1000.1940 re (A-4464)
 1000.1945 re (A-4464)
 1000.1950 re (A-4464)
 1000.1955 re (A-4464)
 1000.1970 re (A-4464)
 1000.1970 re (A-4464)
 1000.1975 re (A-4464)
 1000.1980 re (A-4464)
 1000.1982 re (A-4464)
 1000.1985 re (A-4464)
 1000.1990 re (A-4464)
 1000.1990 re (A-4464)
 1000.1997 re (A-4464)
 1000.1997 re (A-4464)
 1000.2005 re (A-4464)
 1000.2010 re (A-4464)
 1000.2020 re (A-4464)
 1000.2030 re (A-4464)
 1000.2040 re (A-4464)
 1000.2050 re (A-4464)
 1000.2055 re (A-4464)
 1000.2060 re (A-4464)
 1000.2070 re (A-4464)
 1000.2105 re (A-4464)
 1000.2110 re (A-4464)
 1000.2120 re (A-4464)
 1000.2200 re (A-4464)
 1000.2300 re (A-4464)
 1000.2310 re (A-4464)
 1000.2320 re (A-4464)
 1000.2330 re (A-4464)
 1000.2340 re (A-4464)
 1000.2400 re (A-4464)
 1000.2410 re (A-4464)
 1000.2420 re (A-4464)
 1000.2500 re (A-4464)

TITLE 38 (CONT'D)

1050.630 re (A-4475)
 1050.640 re (A-4475)
 1050.650 re (A-4475)
 1050.660 re (A-4475)
 1050.710 re (A-4475)
 1050.720 re (A-4475)
 1050.730 re (A-4475)
 1050.740 re (A-4475)
 1050.750 re (A-4475)
 1050.810 re (A-4475)
 1050.820 re (A-4475)
 1050.830 re (A-4475)
 1050.840 re (A-4475)
 1050.850 re (A-4475)
 1050.860 re (A-4475)
 1050.910 re (A-4475)
 1050.920 re (A-4475)
 1050.930 re (A-4475)
 1050.940 re (A-4475)
 1050.950 re (A-4475)
 1050.1010 re (A-4475)
 1050.1020 re (A-4475)
 1050.1030 re (A-4475)
 1050.1110 re (A-4475)
 1050.1120 re (A-4475)
 1050.1130 re (A-4475)
 1050.1140 re (A-4475)
 1050.1150 re (A-4475)
 1050.1160 re (A-4475)
 1050.1170 re (A-4475)
 1050.1175 re (A-4475)
 1050.1210 re (A-4475)
 1050.1220 re (A-4475)
 1050.1230 re (A-4475)
 1050.1240 re (A-4475)
 1050.1250 re (A-4475)
 1050.1305 re (A-4475)
 1050.1310 re (A-4475)
 1050.1315 re (A-4475)
 1050.1320 re (A-4475)
 1050.1325 re (A-4475)
 1050.1330 re (A-4475)
 1050.1335 re (A-4475)
 1050.1340 re (A-4475)
 1050.1345 re (A-4475)
 1050.1350 re (A-4475)
 1050.1355 re (A-4475)
 1050.1360 re (A-4475)

1050.1410 re (A-4475)
 1050.1420 re (A-4475)
 1050.1510 re (A-4475)
 1050.1520 re (A-4475)
 1050.1530 re (A-4475)
 1050.1540 re (A-4475)
 1050.1550 re (A-4475)
 1050.1560 re (A-4475)
 1050.1570 re (A-4475)
 1050.1580 re (A-4475)
 1050.1590 re (A-4475)
 1050.1595 re (A-4475)
 1050.1600 re (A-4475)
 1050.1610 re (A-4475)
 1050.1620 re (A-4475)
 1050.1630 re (A-4475)
 1050.1640 re (A-4475)
 1050.1650 re (A-4475)
 1050.1660 re (A-4475)
 1050.1670 re (A-4475)
 1050.1680 re (A-4475)
 1050.1690 re (A-4475)
 1050.1700 re (A-4475)
 1050.1720 re (A-4475)
 1050.1730 re (A-4475)
 1050.1740 re (A-4475)
 1050.1750 re (A-4475)
 1050.1760 re (A-4475)
 1050.1770 re (A-4475)
 1050.1790 re (A-4475)
 1075.100 n (P-2727, A-8894)
 1075.1425 re (A-4475)
 1075.1700 n (P-2727, A-8894)
 1075.1710 n (P-2727, A-8894)
 1075.1800 n (P-2727, A-8894)
 1075.1805 n (P-2727, A-8894)
 1075.1810 n (P-2727, A-8894)
 1075.1815 n (P-2727, A-8894)
 1075.1820 n (P-2727, A-8894)
 1075.1825 n (P-2727, A-8894)
 1075.1830 n (P-2727, A-8894)
 1075.1835 n (P-2727, A-8894)
 1075.1840 n (P-2727, A-8894)
 1075.1845 n (P-2727, A-8894)
 1075.1850 n (P-2727, A-8894)
 1075.1855 n (P-2727, A-8894)
 1075.1860 n (P-2727, A-8894)
 1075.1865 n (P-2727, A-8894)
 1075.1870 n (P-2727, A-8894)

SAI-24

SAI-25

ILLINOIS REGISTER			ILLINOIS REGISTER		
Volume 17, Issue #25	SECTIONS AFFECTED INDEX	June 18, 1993	Volume 17, Issue #25	SECTIONS AFFECTED INDEX	June 18, 1993
TITLE 47 (CONT'D)			TITLE 50 (CONT'D)		
370.202 n	(P-11713/92; A-319)	n	370.1006 n	(P-11713/92; A-319)	n
370.203 n	(P-11713/92; A-319)	n	370.1107 n	(P-11713/92; A-319)	n
370.204 n	(P-11713/92; A-319)	n	370.1101 n	(P-11713/92; A-319)	n
370.205 n	(P-11713/92; A-319)	n	700.100 n	(P-4530)	n
370.206 n	(P-11713/92; A-319)	n	700.110 n	(P-4530)	n
370.207 n	(P-11713/92; A-319)	n	700.200 n	(P-4530)	n
370.208 n	(P-11713/92; A-319)	n	700.205 n	(P-4530)	n
370.209 n	(P-11713/92; A-319)	n	700.207 n	(P-4530)	n
370.210 n	(P-11713/92; A-319)	n	700.209 n	(P-4530)	n
370.211 n	(P-11713/92; A-319)	n	700.211 n	(P-4530)	n
370.212 n	(P-11713/92; A-319)	n	700.213 n	(P-4530)	n
370.301 n	(P-11713/92; A-319)	n	700.220 n	(P-4530)	n
370.302 n	(P-11713/92; A-319)	n	700.221 n	(P-4530)	n
370.303 n	(P-11713/92; A-319)	n	700.223 n	(P-4530)	n
370.304 n	(P-11713/92; A-319)	n	700.224 n	(P-4530)	n
370.305 n	(P-11713/92; A-319)	n	700.225 n	(P-4530)	n
370.401 n	(P-11713/92; A-319)	n	700.226 n	(P-4530)	n
370.402 n	(P-11713/92; A-319)	n	700.227 n	(P-4530)	n
370.501 n	(P-11713/92; A-319)	n	700.228 n	(P-4530)	n
370.502 n	(P-11713/92; A-319)	n	700.250 n	(P-4530)	n
370.503 n	(P-11713/92; A-319)	n	700.252 n	(P-4530)	n
370.504 n	(P-11713/92; A-319)	n	700.260 n	(P-4530)	n
370.505 n	(P-11713/92; A-319)	n	700.265 n	(P-4530)	n
370.506 n	(P-11713/92; A-319)	n	700.270 n	(P-4530)	n
370.507 n	(P-11713/92; A-319)	n	700.275 n	(P-4530)	n
370.601 n	(P-11713/92; A-319)	n	700.280 n	(P-4530)	n
370.602 n	(P-11713/92; A-319)	n			
370.603 n	(P-11713/92; A-319)	n	TITLE 50		
370.604 n	(P-11713/92; A-319)	n	802.10 am	(P-44; A-6783) (E-163)	am
370.605 n	(P-11713/92; A-319)	n	802.20 am	(P-44; A-6783) (E-163)	am
370.701 n	(P-11713/92; A-319)	n	802.30 am	(P-44; A-6783) (E-163)	am
370.702 n	(P-11713/92; A-319)	n	802.40 am	(P-44; A-6783) (E-163)	am
370.703 n	(P-11713/92; A-319)	n	802.50 am	(P-44; A-6783) (E-163)	am
370.704 n	(P-11713/92; A-319)	n	802.60 am	(P-44; A-6783) (E-163)	am
370.705 n	(P-11713/92; A-319)	n	802.70 am	(P-44; A-6783) (E-163)	am
370.706 n	(P-11713/92; A-319)	n	802.80 am	(P-44; A-6783) (E-163)	am
370.801 n	(P-11713/92; A-319)	n	802.10 am	(P-42; A-6775) (E-154)	am
370.802 n	(P-11713/92; A-319)	n	805.20 am	(P-42; A-6775) (E-154)	am
370.901 n	(P-11713/92; A-319)	n	805.30 am	(P-42; A-6775) (E-154)	am
370.902 n	(P-11713/92; A-319)	n	805.40 am	(P-42; A-6775) (E-154)	am
370.903 n	(P-11713/92; A-319)	n	805.50 am	(P-42; A-6775) (E-154)	am
370.904 n	(P-11713/92; A-319)	n	805.60 am	(P-42; A-6775) (E-154)	am
370.1001 n	(P-11713/92; A-319)	n	904.10 am	(P-42; A-6775) (E-154)	am
370.1002 n	(P-11713/92; A-319)	n	904.20 am	(P-3993)	am
370.1003 n	(P-11713/92; A-319)	n	916.30 am	(P-5992)	am
370.1004 n	(P-11713/92; A-319)	n	916.40 am	(P-5992)	am
370.1005 n	(P-11713/92; A-319)	n	916.50 am	(P-5992)	am

Volume 17, Issue #25		ILLINOIS REGISTER		June 18, 1993	
TITLE 36 (CONT'D)		SECTIONS AFFECTED INDEX			
2765.71 n	(P-2523)	121.60	n	(P-15715/92; RC-3689;	A-4261)
2765.74 n	(P-12006/92; A-308)	121.65	n	(P-15715/92; RC-3689;	A-4261)
2765.77 am	(P-12006/92; A-308)	121.70	n	(P-15715/92; RC-3689;	A-4261)
2765.328 am	(P-15638/92; A-614)	121.75	n	(P-15715/92; RC-3689;	A-4261)
2765.329 n	(P-15638/92; A-614)	121.80	n	(P-15715/92; RC-3689;	A-4261)
2765.330 n	(P-15638/92; A-614)	121.85	n	(P-15715/92; RC-3689;	A-4261)
2765.331 am	(P-15638/92; A-614)	121.90	n	(P-15715/92; RC-3689;	A-4261)
2765.332 am	(P-15638/92; A-614)	121.95	n	(P-15715/92; RC-3689;	A-4261)
2765.333 am	(P-15638/92; A-614)	121.100	n	(P-15715/92; RC-3689;	A-4261)
2765.334 am	(P-15638/92; A-614)	121.105	n	(P-15715/92; RC-3689;	A-4261)
2765.335 am	(P-15638/92; A-614)	121.110	n	(P-15715/92; RC-3689;	A-4261)
2770.100 am	(P-15675/92; A-295)	121.115	n	(P-15715/92; RC-3689;	A-4261)
2770.105 am	(P-15675/92; A-295)	121.120	n	(P-15715/92; RC-3689;	A-4261)
2770.110 am	(P-15675/92; A-295)	121.130	n	(P-15715/92; RC-3689;	A-4261)
2770.115 am	(P-15675/92; A-295)	121.135	n	(P-15715/92; RC-3689;	A-4261)
2840.25 n	(P-886)	121.140	n	(P-15715/92; RC-3689;	A-4261)
2840.125 n	(P-880/92)	121.145	n	(P-15715/92; RC-3689;	A-4261)
2865.1 am	(P-6907)	121.149	n	(P-15715/92; RC-3689;	A-4261)
2865.1 am	(P-6907)	121.150	n	(P-15715/92; RC-3689;	A-4261)
2865.50 am	(P-6907)	121.155	n	(P-15715/92; RC-3689;	A-4261)
2865.115 am	(P-6907)	121.160	n	(P-15715/92; RC-3689;	A-4261)
2865.115 am	(P-6907)	121.165	n	(P-15715/92; RC-3689;	A-4261)
2865.215 am	(P-6907)	121.170	n	(P-15715/92; RC-3689;	A-4261)
6000.120 am	(P-3922)	121.175	n	(P-15715/92; RC-3689;	A-4261)
TITLE 59					
119.120 am	(P-6397)	121.180	n	(P-15715/92; RC-3689;	A-4261)
119.260 am	(P-6397)	121.185	n	(P-15715/92; RC-3689;	A-4261)
119.270 am	(P-6397)	121.190	n	(P-15715/92; RC-3689;	A-4261)
119.300 am	(P-6397)	121.195	n	(P-15715/92; RC-3689;	A-4261)
121.10 n	(P-15715/92; RC-3689;	121.200	n	(P-15715/92; RC-3689;	A-4261)
121.15 n	A-4261)	121.205	n	(P-15715/92; RC-3689;	A-4261)
121.20 n	(P-15715/92; RC-3689;	121.210	n	(P-15715/92; RC-3689;	A-4261)
121.25 n	A-4261)	121.215	n	(P-15715/92; RC-3689;	A-4261)
121.30 n	(P-15715/92; RC-3689;	121.220	n	(P-15715/92; RC-3689;	A-4261)
121.35 n	A-4261)	121.225	n	(P-15715/92; RC-3689;	A-4261)
121.40 n	(P-15715/92; RC-3689;	121.230	n	(P-15715/92; RC-3689;	A-4261)
121.45 n	A-4261)	121.235	n	(P-15715/92; RC-3689;	A-4261)
121.50 n	(P-15715/92; RC-3689;	121.240	n	(P-15715/92; RC-3689;	A-4261)
121.55 n	A-4261)	121.245	n	(P-15715/92; RC-3689;	A-4261)
		121.250	n	(P-15715/92; RC-3689;	A-4261)
		121.255	n	(P-15715/92; RC-3689;	A-4261)
		121.260	n	(P-15715/92; RC-3689;	A-4261)
		121.265	n	(P-15715/92; RC-3689;	A-4261)
		121.270	n	(P-15715/92; RC-3689;	A-4261)
		121.275	n	(P-15715/92; RC-3689;	A-4261)
		121.280	n	(P-15715/92; RC-3689;	A-4261)
		121.285	n	(P-15715/92; RC-3689;	A-4261)
		121.290	n	(P-15715/92; RC-3689;	A-4261)
		121.295	n	(P-15715/92; RC-3689;	A-4261)
		121.300	n	(P-15715/92; RC-3689;	A-4261)
		121.305	n	(P-15715/92; RC-3689;	A-4261)
		121.310	n	(P-15715/92; RC-3689;	A-4261)
		121.315	n	(P-15715/92; RC-3689;	A-4261)
		121.320	n	(P-15715/92; RC-3689;	A-4261)
		121.325	n	(P-15715/92; RC-3689;	A-4261)
		121.330	n	(P-15715/92; RC-3689;	A-4261)
		121.335	n	(P-15715/92; RC-3689;	A-4261)
		121.340	n	(P-15715/92; RC-3689;	A-4261)
		121.345	n	(P-15715/92; RC-3689;	A-4261)
		121.350	n	(P-15715/92; RC-3689;	A-4261)
		121.355	n	(P-15715/92; RC-3689;	A-4261)
		121.360	n	(P-15715/92; RC-3689;	A-4261)
		121.365	n	(P-15715/92; RC-3689;	A-4261)
		121.370	n	(P-15715/92; RC-3689;	A-4261)
		121.375	n	(P-15715/92; RC-3689;	A-4261)
		121.380	n	(P-15715/92; RC-3689;	A-4261)
		121.385	n	(P-15715/92; RC-3689;	A-4261)
		121.390	n	(P-15715/92; RC-3689;	A-4261)
		121.395	n	(P-15715/92; RC-3689;	A-4261)
		121.400	n	(P-15715/92; RC-3689;	A-4261)
		121.405	n	(P-15715/92; RC-3689;	A-4261)
		121.410	n	(P-15715/92; RC-3689;	A-4261)
		121.415	n	(P-15715/92; RC-3689;	A-4261)
		121.420	n	(P-15715/92; RC-3689;	A-4261)
		121.425	n	(P-15715/92; RC-3689;	A-4261)
		121.430	n	(P-15715/92; RC-3689;	A-4261)
		121.435	n	(P-15715/92; RC-3689;	A-4261)
		121.440	n	(P-15715/92; RC-3689;	A-4261)
		121.445	n	(P-15715/92; RC-3689;	A-4261)
		121.450	n	(P-15715/92; RC-3689;	A-4261)
		121.455	n	(P-15715/92; RC-3689;	A-4261)
		121.460	n	(P-15715/92; RC-3689;	A-4261)
		121.465	n	(P-15715/92; RC-3689;	A-4261)
		121.470	n	(P-15715/92; RC-3689;	A-4261)
		121.475	n	(P-15715/92; RC-3689;	A-4261)
		121.480	n	(P-15715/92; RC-3689;	A-4261)
		121.485	n	(P-15715/92; RC-3689;	A-4261)
		121.490	n	(P-15715/92; RC-3689;	A-4261)
		121.495	n	(P-15715/92; RC-3689;	A-4261)
		121.500	n	(P-15715/92; RC-3689;	A-4261)
		121.505	n	(P-15715/92; RC-3689;	A-4261)
		121.510	n	(P-15715/92; RC-3689;	A-4261)
		121.515	n	(P-15715/92; RC-3689;	A-4261)
		121.520	n	(P-15715/92; RC-3689;	A-4261)
		121.525	n	(P-15715/92; RC-3689;	A-4261)
		121.530	n	(P-15715/92; RC-3689;	A-4261)
		121.535	n	(P-15715/92; RC-3689;	A-4261)
		121.540	n	(P-15715/92; RC-3689;	A-4261)
		121.545	n	(P-15715/92; RC-3689;	A-4261)
		121.550	n	(P-15715/92; RC-3689;	A-4261)
		121.555	n	(P-15715/92; RC-3689;	A-4261)
		121.560	n	(P-15715/92; RC-3689;	A-4261)
		121.565	n	(P-15715/92; RC-3689;	A-4261)
		121.570	n	(P-15715/92; RC-3689;	A-4261)
		121.575	n	(P-15715/92; RC-3689;	A-4261)
		121.580	n	(P-15715/92; RC-3689;	A-4261)
		121.585	n	(P-15715/92; RC-3689;	A-4261)
		121.590	n	(P-15715/92; RC-3689;	A-4261)
		121.595	n	(P-15715/92; RC-3689;	A-4261)
		121.600	n	(P-15715/92; RC-3689;	A-4261)
		121.605	n	(P-15715/92; RC-3689;	A-4261)
		121.610	n	(P-15715/92; RC-3689;	A-4261)
		121.615	n	(P-15715/92; RC-3689;	A-4261)
		121.620	n	(P-15715/92; RC-3689;	A-4261)
		121.625	n	(P-15715/92; RC-3689;	A-4261)
		121.630	n	(P-15715/92; RC-3689;	A-4261)
		121.635	n	(P-15715/92; RC-3689;	A-4261)
		121.640	n	(P-15715/92; RC-3689;	A-4261)
		121.645	n	(P-15715/92; RC-3689;	A-4261)
		121.650	n	(P-15715/92; RC-3689;	A-4261)
		121.655	n	(P-15715/92; RC-3689;	A-4261)
		121.660	n	(P-15715/92; RC-3689;	A-4261)
		121.665	n	(P-15715/92; RC-3689;	A-4261)
		121.670	n	(P-15715/92; RC-3689;	A-4261)
		121.675	n	(P-15715/92; RC-3689;	A-4261)
		121.680	n	(P-15715/92; RC-3689;	A-4261)
		121.685	n	(P-15715/92; RC-3689;	A-4261)
		121.690	n	(P-15715/92; RC-3689;	A-4261)
		121.695	n	(P-15715/92; RC-3689;	A-4261)
		121.700	n	(P-15715/92; RC-3689;	A-4261)
		121.705	n	(P-15715/92; RC-3689;	A-4261)
		121.710	n	(P-15715/92; RC-3689;	A-4261)
		121.715	n	(P-15715/92; RC-3689;	A-4261)
		121.720	n	(P-15715/92; RC-3689;	A-4261)
		121.725	n	(P-15715/92; RC-3689;	A-4261)
		121.730	n	(P-15715/92; RC-3689;	A-4261)
		121.735	n	(P-15715/92; RC-3689;	A-4261)
		121.740	n	(P-15715/92; RC-3689;	A-4261)
		121.745	n	(P-15715/92; RC-3689;	A-4261)
		121.750	n	(P-15715/92; RC-3689;	A-4261)
		121.755	n	(P-15715/92; RC-3689;	A-4261)
		121.760	n	(P-15715/92; RC-3689;	A-4261)
		121.765	n	(P-15715/92; RC-3689;	A-4261)
		121.770	n	(P-15715/92; RC-3689;	A-4261)
		121.775	n	(P-15715/92; RC-3689;	A-4261)
		121.780	n	(P-15715/92; RC-3689;	A-4261)
		121.785	n	(P-15715/92; RC-3689;	A-4261)
		121.790	n	(P-15715/92; RC-3689;	A-4261)
		121.795	n	(P-15715/92; RC-3689;	A-4261)
		121.800	n	(P-15715/92; RC-3689;	A-4261)
		121.805	n	(P-15715/92; RC-3689;	A-4261)
		121.810	n	(P-15715/92; RC-3689;	A-4261)
		121.815	n	(P-15715/92; RC-3689;	A-4261)
		121.820	n	(P-15715/92; RC-3689;	A-4261)
		121.825	n	(P-15715/92; RC-3689;	A-4261)
		121.830	n	(P-15715/92; RC-3689;	A-4261)
		121.835	n	(P-15715/92; RC-3689;	A-4261)
		121.840	n	(P-15715/92; RC-3689;	A-4261)
		121.845	n	(P-15715/92; RC-3689;	A-4261)
		121.850	n	(P-15715/92; RC-3689;	A-4261)
		121.855	n	(P-15715/92; RC-3689;	A-4261)
		121.860	n	(P-15715/92; RC-3689;	A-4261)
		121.865	n	(P-15715/92; RC-3689;	A-4261)
		121.870	n	(P-15715/92; RC-3689;	A-4261)
		121.875	n	(P-15715/92; RC-3689;	A-4261)
		121.880	n	(P-15715/92; RC-3689;	A-4261)
		121.885	n	(P-15715/92; RC-3689;	A-4261)
		121.890	n	(P-15715/92; RC-3689;	A-4261)
		121.895	n	(P-15715/92; RC-3689;	A-4261)
		121.900	n	(P-15715/92; RC-3689;	A-4261)
		121.905	n	(P-15715/92; RC-3689;	A-4261)
		121.910	n	(P-15715/92; RC-3689;	A-4261)
		121.915	n	(P-15715/92; RC-3689;	A-4261)
		121.920	n	(P-15715/92; RC-3689;	A-4261)
		121.925	n	(P-15715/92; RC-3689;	A-4261)
		121.930	n	(P-15715/92; RC-3689;	A-4261)
		121.935	n	(P-15715/92; RC-3689;	A-4261)
		121.940	n	(P-15715/92; RC-3689;	A-4261)
		121.945	n	(P-15715/92; RC-3689;	A-4261)
		121.950	n	(P-15715/92; RC-3689;	A-4261)
		121.955	n	(P-15715/92; RC-3689;	A-4261)
		121.960	n	(P-15715/92; RC-3689;	A-4261)
		121.965	n	(P-15715/92; RC-3689;	A-4261)
		121.970	n	(P-15715/92; RC-3689;	A-4261)
		121.975	n	(P-15715/92; RC-3689;	A-4261)
		121.980	n	(P-15715/92; RC-3689;	A-4261)
		121.985	n	(P-15715/92; RC-3689;	A-4261)
		121.990	n	(P-15715/92; RC-3689;	A-4261)
		121.995	n	(P-15715/92; RC-3689;	A-4261)

ILLINOIS REGISTER			June 18, 1953
Volume 17, Issue #25	SECTIONS AFFECTED INDEX		
TITLE 59 (CONT'D)	122.35 n	(P-15691/92; RC-3688; A-4236)	750,3000 am (P-15056/92; A-417)
	122.40 n	(P-15691/92; RC-3688; A-4236)	750,3010 am (P-15056/92; A-417)
	122.45 n	(P-15691/92; RC-3688; A-4236)	750,4000 am (P-15056/92; A-417)
	122.50 n	(P-15691/92; RC-3688; A-4236)	1150,4010 am (P-17042/92; A-1554)
	122.55 n	(P-15691/92; RC-3688; A-4236)	1210,10 am (P-16374/92; A-1535)
	122.60 n	(P-15691/92; RC-3688; A-4236)	1210,20 n (P-16374/92; A-1535)
	122.65 n	(P-15691/92; RC-3688; A-4236)	1210,30 f (P-16374/92; A-1535)
	122.70 n	(P-15691/92; RC-3688; A-4236)	1210,40 f (P-16374/92; A-1535)
	122.75 n	(P-15691/92; RC-3688; A-4236)	1210,50 f (P-16374/92; A-1535)
	122.80 n	(P-15691/92; RC-3688; A-4236)	1210,60 am (P-16374/92; A-1535)
	122.85 n	(P-15691/92; RC-3688; A-4236)	1210,70 am (P-16374/92; A-1535)
	122, Ap, A n	(P-15691/92; RC-3688; A-4236)	1210,80 am (P-16374/92; A-1535)
	TITLE 62	240,131 n	1210,90 am (P-16374/92; A-1535)
		240,132 n	1210,180 am (P-16374/92; A-1535)
		240,133 n	1210,200 f (P-16374/92; A-1535)
		240,134 n	1210,210 f (P-16374/92; A-1535)
		240,160 am	1210,220 f (P-16374/92; A-1535)
		240,170 am	1210,230 f (P-16374/92; A-1535)
		240,180 am	1210,235 am (P-16374/92; A-1535)
		240,190 am	1210,240 am (P-16374/92; A-1535)
		240,195 am	1210,250 f (P-16374/92; A-1535)
		240,200 am	1220,100 am (P-8127; E-8309)
		240,200 am	1220,110 am (P-8127; E-8309)
		240,205 n	1220,160 am (P-15762/92; A-1559)
		240,210 n	1220,170 n (P-15762/92; A-1559)
		240,220 n	1220,220 am (P-8127; E-8309)
		240,230 n	1220,240 am (P-8127)
		240,240 n	1220,260 am (P-15762/92; A-1559)
		240,250 n	1220,270 n (P-15762/92; A-1559)
		240,260 n	1220,360 n (P-15762/92; A-1559)
		240,270 n	1220,435 n (P-15762/92; A-1559)
TITLE 68	240,1270 n	(P-3771)	1220,440 n (P-15762/92; A-1559)
	240,1280 n	(P-3771)	1220,525 n (P-15762/92; A-1559)
TITLE 68	750,1010 am	(P-15056/92; A-417)	1220, Ap, B am (P-1708)

ILLINOIS REGISTER			ILLINOIS REGISTER		
Volume 17, Issue #25		SECTIONS AFFECTED INDEX	Volume 17, Issue #25		SECTIONS AFFECTED INDEX
June 18, 1993			June 18, 1993		
TITLE 66 (CONT'D)	1240.5	r	TITLE 71	500.10	n
	1240.10	am		500.20	n
1240.15	(P-15775/92; A-1579)	am	500.30	n	(P-3917)
1240.30	(P-15775/92; A-1579)	am	500.40	n	(P-3917)
1240.31	(P-15775/92; A-1579)	am	500.50	n	(P-3917)
1240.35	(P-15775/92; A-1579)	am	500.60	n	(P-3917)
1300.48	(P-16484/92; A-1572)	am	500.70	n	(P-3917)
1310.30	(P-81359)	am	500.80	n	(P-3917)
1310.60	(P-81359)	am	TITLE 74	730.10	n
1320.30	(P-47259)	am		730.10	r
1320.40	(P-47259)	am	730.10	r	(P-3831)
1320.50	(P-47259)	am	730.20	n	(P-3831)
1320.80	(P-47259)	am	730.30	n	(P-3831)
1320.100	(P-47259)	am	730.40	n	(P-3831)
1340.40	(P-84445)	am	740.5	am	(P-8585; A-6663)
1340.60	(P-84445)	am	740.10	am	(P-8585; A-6663)
1400.60	(P-4141)	am	740.20	am	(P-8585; A-6663)
1430.3010	(P-4141)	am	740.30	am	(P-8585; A-6663)
1430.3020	(P-4141)	am	740.40	am	(P-8585; A-6663)
1430.3030	(P-4141)	am	750.10	r	(P-777; A-9079)
1430.3050	(P-4141)	am	750.20	r	(P-777; A-9079)
1455.10	(P-15785/92; A-1589)	n	750.30	r	(P-777; A-9079)
1455.15	(P-15785/92; A-1589)	n	750.40	r	(P-777; A-9079)
1455.20	(P-15785/92; A-1589)	n	750.50	r	(P-777; A-9079)
1455.30	(P-15785/92; A-1589)	n	750.60	r	(P-777; A-9079)
1455.35	(P-15785/92; A-1589)	n	750.70	r	(P-777; A-9079)
1455.40	(P-15785/92; A-1589)	n	750.80	r	(P-777; A-9079)
1455.50	(P-15785/92; A-1589)	n	750.90	r	(P-777; A-9079)
1455.60	(P-15785/92; A-1589)	n	750.100	r	(P-777; A-9079)
1455.70	(P-15785/92; A-1589)	n	750.110	r	(P-777; A-9079)
1455.80	(P-15785/92; A-1589)	n	750.120	n	(P-777; A-9079)
1455.90	(P-15785/92; A-1589)	n	750.130	r	(P-777; A-9079)
1455.100	(P-15785/92; A-1589)	n	750.140	r	(P-777; A-9079)
1455.200	(P-15785/92; A-1589)	n	750.150	n	(P-777; A-9079)
1455.300	(P-15785/92; A-1589)	n	750.160	n	(P-777; A-9079)
1455.400	(P-15785/92; A-1589)	n	750.170	n	(P-777; A-9079)
1455.500	(P-15785/92; A-1589)	n	750.180	n	(P-777; A-9079)
1455.600	(P-15785/92; A-1589)	n	750.190	n	(P-777; A-9079)
1455.700	(P-15785/92; A-1589)	n	750.200	n	(P-777; A-9079)
1455.800	(P-15785/92; A-1589)	n	750.210	n	(P-777; A-9079)
1455.900	(P-15785/92; A-1589)	n	750.220	n	(P-777; A-9079)
1456.10	(P-890)	am	750.230	n	(P-777; A-9079)
1465.30	(P-890)	am	750.240	n	(P-777; A-9079)
1465.35	(P-890)	am	750.250	n	(P-777; A-9079)
1465.40	(P-890)	am	750.260	n	(P-777; A-9079)
1465.50	(P-890)	am	750.270	n	(P-777; A-9079)
1470.5	(P-84355)	r	750.280	n	(P-777; A-9079)
1470.7	(P-84355)	r	750.290	n	(P-777; A-9079)
1470.80	(P-84355)	am	750.300	n	(P-777; A-9079)
1470.90	(P-84355)	am	750.310	n	(P-777; A-9079)
1470.100	(P-84355)	am	750.320	n	(P-777; A-9079)
1470.300	(P-84355)	am	750.330	n	(P-777; A-9079)
1480.130	(P-4149)	am	750.340	n	(P-777; A-9079)
1480.150	(P-4149)	am	750.350	n	(P-777; A-9079)
1480.150	(P-4149)	am	750.360	n	(P-777; A-9079)

ILLINOIS REGISTER			ILLINOIS REGISTER		
Volume 17, Issue #25	June 18, 1993	SECTIONS AFFECTED INDEX	Volume 17, Issue #25	June 18, 1993	SECTIONS AFFECTED INDEX
TITLE 77 (CONT'D)			TITLE 77 (CONT'D)		
535.320 am	(P-1091192; A-8196)	665.640 am	(P-2697)	750.1865 am	(P-7223)
535.330 am	(P-1091192; A-8196)	665.65 Ap.B	(P-2697)	750.1865 am	(P-7223)
535.340 am	(P-1091192; A-8196)	682.130 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.350 am	(P-1091192; A-8196)	682.140 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.360 am	(P-1091192; A-8196)	682.150 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.370 am	(P-1091192; A-8196)	682.160 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.380 am	(P-1091192; A-8196)	682.170 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.390 am	(P-1091192; A-8196)	682.180 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.400 am	(P-1091192; A-8196)	682.190 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.410 am	(P-1091192; A-8196)	682.200 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.420 am	(P-1091192; A-8196)	682.210 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.430 am	(P-1091192; A-8196)	682.220 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.440 am	(P-1091192; A-8196)	682.230 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.450 am	(P-1091192; A-8196)	682.240 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.460 am	(P-1091192; A-8196)	682.250 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.470 am	(P-1091192; A-8196)	682.260 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.480 am	(P-1091192; A-8196)	682.270 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.490 am	(P-1091192; A-8196)	682.280 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.500 am	(P-1091192; A-8196)	682.290 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.510 am	(P-1091192; A-8196)	682.300 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.520 am	(P-1091192; A-8196)	682.310 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.530 am	(P-1091192; A-8196)	682.320 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.540 am	(P-1091192; A-8196)	682.330 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.550 am	(P-1091192; A-8196)	682.340 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.560 am	(P-1091192; A-8196)	682.350 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.570 am	(P-1091192; A-8196)	682.360 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.580 am	(P-1091192; A-8196)	682.370 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.590 am	(P-1091192; A-8196)	682.380 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.600 am	(P-1091192; A-8196)	682.390 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.610 am	(P-1091192; A-8196)	682.400 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.620 am	(P-1091192; A-8196)	682.410 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.630 am	(P-1091192; A-8196)	682.420 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.640 am	(P-1091192; A-8196)	682.430 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.650 am	(P-1091192; A-8196)	682.440 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.660 am	(P-1091192; A-8196)	682.450 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.670 am	(P-1091192; A-8196)	682.460 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.680 am	(P-1091192; A-8196)	682.470 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.690 am	(P-1091192; A-8196)	682.480 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.700 am	(P-1091192; A-8196)	682.490 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.710 am	(P-1091192; A-8196)	682.500 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.720 am	(P-1091192; A-8196)	682.510 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.730 am	(P-1091192; A-8196)	682.520 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.740 am	(P-1091192; A-8196)	682.530 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.750 am	(P-1091192; A-8196)	682.540 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.760 am	(P-1091192; A-8196)	682.550 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.770 am	(P-1091192; A-8196)	682.560 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.780 am	(P-1091192; A-8196)	682.570 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.790 am	(P-1091192; A-8196)	682.580 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.800 am	(P-1091192; A-8196)	682.590 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.810 am	(P-1091192; A-8196)	682.600 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.820 am	(P-1091192; A-8196)	682.610 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.830 am	(P-1091192; A-8196)	682.620 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.840 am	(P-1091192; A-8196)	682.630 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.850 am	(P-1091192; A-8196)	682.640 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.860 am	(P-1091192; A-8196)	682.650 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.870 am	(P-1091192; A-8196)	682.660 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.880 am	(P-1091192; A-8196)	682.670 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.890 am	(P-1091192; A-8196)	682.680 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.900 am	(P-1091192; A-8196)	682.690 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.910 am	(P-1091192; A-8196)	682.700 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.920 am	(P-1091192; A-8196)	682.710 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.930 am	(P-1091192; A-8196)	682.720 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.940 am	(P-1091192; A-8196)	682.730 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.950 am	(P-1091192; A-8196)	682.740 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.960 am	(P-1091192; A-8196)	682.750 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.970 am	(P-1091192; A-8196)	682.760 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.980 am	(P-1091192; A-8196)	682.770 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
535.990 am	(P-1091192; A-8196)	682.780 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.000 am	(P-1091192; A-8196)	682.790 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.010 am	(P-1091192; A-8196)	682.800 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.020 am	(P-1091192; A-8196)	682.810 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.030 am	(P-1091192; A-8196)	682.820 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.040 am	(P-1091192; A-8196)	682.830 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.050 am	(P-1091192; A-8196)	682.840 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.060 am	(P-1091192; A-8196)	682.850 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.070 am	(P-1091192; A-8196)	682.860 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.080 am	(P-1091192; A-8196)	682.870 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.090 am	(P-1091192; A-8196)	682.880 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.100 am	(P-1091192; A-8196)	682.890 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.110 am	(P-1091192; A-8196)	682.900 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.120 am	(P-1091192; A-8196)	682.910 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.130 am	(P-1091192; A-8196)	682.920 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.140 am	(P-1091192; A-8196)	682.930 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.150 am	(P-1091192; A-8196)	682.940 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.160 am	(P-1091192; A-8196)	682.950 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.170 am	(P-1091192; A-8196)	682.960 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.180 am	(P-1091192; A-8196)	682.970 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.190 am	(P-1091192; A-8196)	682.980 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.200 am	(P-1091192; A-8196)	682.990 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.210 am	(P-1091192; A-8196)	683.000 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.220 am	(P-1091192; A-8196)	683.010 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.230 am	(P-1091192; A-8196)	683.020 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.240 am	(P-1091192; A-8196)	683.030 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.250 am	(P-1091192; A-8196)	683.040 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.260 am	(P-1091192; A-8196)	683.050 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.270 am	(P-1091192; A-8196)	683.060 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.280 am	(P-1091192; A-8196)	683.070 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.290 am	(P-1091192; A-8196)	683.080 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.300 am	(P-1091192; A-8196)	683.090 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.310 am	(P-1091192; A-8196)	683.100 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.320 am	(P-1091192; A-8196)	683.110 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.330 am	(P-1091192; A-8196)	683.120 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.340 am	(P-1091192; A-8196)	683.130 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.350 am	(P-1091192; A-8196)	683.140 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.360 am	(P-1091192; A-8196)	683.150 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.370 am	(P-1091192; A-8196)	683.160 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.380 am	(P-1091192; A-8196)	683.170 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.390 am	(P-1091192; A-8196)	683.180 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.400 am	(P-1091192; A-8196)	683.190 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.410 am	(P-1091192; A-8196)	683.200 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.420 am	(P-1091192; A-8196)	683.210 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.430 am	(P-1091192; A-8196)	683.220 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.440 am	(P-1091192; A-8196)	683.230 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.450 am	(P-1091192; A-8196)	683.240 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.460 am	(P-1091192; A-8196)	683.250 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.470 am	(P-1091192; A-8196)	683.260 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.480 am	(P-1091192; A-8196)	683.270 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.490 am	(P-1091192; A-8196)	683.280 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.500 am	(P-1091192; A-8196)	683.290 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.510 am	(P-1091192; A-8196)	683.300 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.520 am	(P-1091192; A-8196)	683.310 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.530 am	(P-1091192; A-8196)	683.320 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.540 am	(P-1091192; A-8196)	683.330 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.550 am	(P-1091192; A-8196)	683.340 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.560 am	(P-1091192; A-8196)	683.350 am	(P-13428.92; A-8825)	750.1865 am	(P-7223)
536.					

ILLINOIS REGISTER

Volume 17, Issue #25

June 18, 1993

SECTIONS AFFECTED INDEX

TITLE 77 (CONT'D)

790.1565	n	(P-17496/92, W-7075)	790.2140	r	(P-7198) (E-7283)
790.1570	r	(P-7198) (E-7283)	790.2155	r	(P-7198) (E-7283)
790.1575	r	(P-7198) (E-7283)	790.2160	r	(P-7198) (E-7283)
790.1577	am	(P-17496/92, W-7075)	790.2220	r	(P-7198) (E-7283)
790.1580	r	(P-7198) (E-7283)	790.2260	r	(P-7198) (E-7283)
790.1585	r	(P-7198) (E-7283)	790.2300	r	(P-7198) (E-7283)
790.1620	r	(P-7198) (E-7283)	790.2334	r	(P-7198) (E-7283)
790.1660	r	(P-7198) (E-7283)	790.2380	r	(P-7198) (E-7283)
790.1665	r	(P-7198) (E-7283)	790.2390	r	(P-7198) (E-7283)
790.1685	r	(P-7198) (E-7283)	790.2420	r	(P-7198) (E-7283)
790.1686	r	(P-7198) (E-7283)	790.2460	r	(P-7198) (E-7283)
790.1697	r	(P-17496/92, W-7075)	790.2462	am	(P-17496/92, W-7075)
790.1700	r	(P-7198) (E-7283)	790.2465	am	(P-17496/92, W-7075)
790.1706	r	(P-7198) (E-7283)	790.2465	am	(P-17496/92, W-7075)
790.1708	r	(P-7198) (E-7283)	790.2470	r	(P-7198) (E-7283)
790.1710	r	(P-7198) (E-7283)	790.2485	r	(P-7198) (E-7283)
790.1715	r	(P-7198) (E-7283)	790.2500	r	(P-7198) (E-7283)
790.1721	r	(P-7198) (E-7283)	790.2510	r	(P-7198) (E-7283)
790.1740	r	(P-7198) (E-7283)	790.2520	r	(P-7198) (E-7283)
790.1780	r	(P-7198) (E-7283)	790.2555	r	(P-7198) (E-7283)
790.1820	r	(P-7198) (E-7283)	790.2580	r	(P-7198) (E-7283)
790.1842	r	(P-7198) (E-7283)	790.2583	r	(P-7198) (E-7283)
790.1845	r	(P-7198) (E-7283)	790.2585	r	(P-7198) (E-7283)
790.1848	r	(P-7198) (E-7283)	790.2587	n	(P-17496/92, W-7075)
790.1856	r	(P-7198) (E-7283)	790.2600	n	(P-17496/92, W-7075)
790.1858	r	(P-7198) (E-7283)	790.2603	r	(P-7198) (E-7283)
790.1859	n	(P-17496/92, W-7075)	790.2605	am	(P-17496/92, W-7075)
790.1860	r	(P-7198) (E-7283)	790.2613	am	(P-17496/92, W-7075)
790.1870	r	(P-7198) (E-7283)	790.2614	r	(P-7198) (E-7283)
790.1900	am	(P-7198) (E-7283)	790.2617	r	(P-7198) (E-7283)
790.1950	am	(P-17496/92, W-7075)	790.2618	am	(P-17496/92, W-7075)
790.1940	r	(P-7198) (E-7283)	790.2620	r	(P-7198) (E-7283)
790.1950	am	(P-7198) (E-7283)	790.2625	r	(P-7198) (E-7283)
790.1950	am	(P-17496/92, W-7075)	790.2635	r	(P-7198) (E-7283)
790.1960	am	(P-7198) (E-7283)	790.2660	am	(P-7198) (E-7283)
790.1980	r	(P-7198) (E-7283)	790.2661	am	(P-17496/92, W-7075)
790.2020	r	(P-7198) (E-7283)	790.2662	am	(P-17496/92, W-7075)
790.2060	r	(P-7198) (E-7283)	790.2663	r	(P-7198) (E-7283)
790.2084	r	(P-7198) (E-7283)	790.2668	r	(P-7198) (E-7283)
790.2086	n	(P-17496/92, W-7075)	790.2672	r	(P-7198) (E-7283)
790.2092	r	(P-7198) (E-7283)	790.2700	r	(P-7198) (E-7283)
790.2097	r	(P-7198) (E-7283)	790.2740	r	(P-7198) (E-7283)
790.2100	r	(P-7198) (E-7283)	790.2780	r	(P-7198) (E-7283)
790.2130	r	(P-7198) (E-7283)			

SAL-36

ILLINOIS REGISTER

Volume 17, Issue #25

June 18, 1993

SECTIONS AFFECTED INDEX

TITLE 77 (CONT'D)

790.2800	r	(P-7198) (E-7283)	790.3350	r	(P-7198) (E-7283)
790.2805	r	(P-7198) (E-7283)	790.3380	r	(P-7198) (E-7283)
790.2820	r	(P-7198) (E-7283)	790.3420	am	(P-17496/92, W-7075)
790.2860	r	(P-7198) (E-7283)	790.3425	r	(P-7198) (E-7283)
790.2900	r	(P-7198) (E-7283)	790.3437	r	(P-7198) (E-7283)
790.2902	r	(P-7198) (E-7283)	790.3440	r	(P-7198) (E-7283)
790.2904	r	(P-7198) (E-7283)	790.3460	r	(P-7198) (E-7283)
790.2908	r	(P-7198) (E-7283)	790.3472	r	(P-7198) (E-7283)
790.2915	r	(P-7198) (E-7283)	790.3475	r	(P-7198) (E-7283)
790.2928	am	(P-17496/92, W-7075)	790.3488	r	(P-7198) (E-7283)
790.2932	am	(P-7198) (E-7283)	790.3492	r	(P-7198) (E-7283)
790.2940	r	(P-7198) (E-7283)	790.3500	r	(P-7198) (E-7283)
790.2948	r	(P-7198) (E-7283)	790.3540	r	(P-7198) (E-7283)
790.3020	r	(P-7198) (E-7283)	790.3580	r	(P-7198) (E-7283)
790.3021	r	(P-7198) (E-7283)	790.3620	r	(P-7198) (E-7283)
790.3023	r	(P-7198) (E-7283)	790.3660	r	(P-7198) (E-7283)
790.3025	r	(P-7198) (E-7283)	790.3700	r	(P-7198) (E-7283)
790.3027	am	(P-17496/92, W-7075)	790.3720	am	(P-17496/92, W-7075)
790.3028	r	(P-7198) (E-7283)	790.3730	r	(P-7198) (E-7283)
790.3029	r	(P-7198) (E-7283)	790.3740	r	(P-7198) (E-7283)
790.3030	r	(P-7198) (E-7283)	790.3742	r	(P-7198) (E-7283)
790.3032	r	(P-7198) (E-7283)	790.3780	r	(P-7198) (E-7283)
790.3033	r	(P-7198) (E-7283)	790.3800	r	(P-7198) (E-7283)
790.3038	r	(P-7198) (E-7283)	790.3820	r	(P-7198) (E-7283)
790.3042	r	(P-7198) (E-7283)	790.3860	r	(P-7198) (E-7283)
790.3048	r	(P-7198) (E-7283)	790.3900	r	(P-7198) (E-7283)
790.3049	r	(P-7198) (E-7283)	790.3902	n	(P-17496/92, W-7075)
790.3051	r	(P-7198) (E-7283)	790.3904	r	(P-7198) (E-7283)
790.3054	r	(P-7198) (E-7283)	790.3907	am	(P-17496/92, W-7075)
790.3056	r	(P-7198) (E-7283)	790.3910	am	(P-7198) (E-7283)
790.3060	r	(P-7198) (E-7283)	790.3914	am	(P-17496/92, W-7075)
790.3085	r	(P-7198) (E-7283)	790.3920	r	(P-7198) (E-7283)
790.3100	r	(P-7198) (E-7283)	790.3945	am	(P-17496/92, W-7075)
790.3140	r	(P-7198) (E-7283)	790.3940	r	(P-7198) (E-7283)
790.3180	r	(P-7198) (E-7283)	790.3945	r	(P-7198) (E-7283)
790.3220	r	(P-7198) (E-7283)	790.3960	r	(P-7198) (E-7283)
790.3235	n	(P-17496/92, W-7075)	790.3980	r	(P-7198) (E-7283)
790.3260	r	(P-7198) (E-7283)	790.3996	r	(P-7198) (E-7283)
790.3308	am	(P-17496/92, W-7075)	790.4012	r	(P-7198) (E-7283)
790.3315	r	(P-7198) (E-7283)	790.4020	r	(P-7198) (E-7283)
790.3335	r	(P-7198) (E-7283)	790.4040	r	(P-7198) (E-7283)
790.3337	n	(P-17496/92, W-7075)	790.4060	r	(P-7198) (E-7283)
790.3340	r	(P-7198) (E-7283)	790.4100	am	(P-17496/92, W-7075)

SAL-37

ILLINOIS REGISTER			June 18, 1993	
Volume 17, Issue #25	SECTIONS AFFECTED INDEX			
TITLE 77 (CONT'D)				
790.4963	(P-7198) (E-7283)	r		
790.4140	(P-7198) (E-7283)	r		
790.4965	(P-7198) (E-7283)	r		
790.4150	(P-7198) (E-7283)	r		
790.4980	(P-7198) (E-7283)	r		
790.4173	(P-7198) (E-7283)	r		
790.4180	(P-7198) (E-7283)	r		
790.5030	(P-7198) (E-7283)	r		
790.5030	(P-7198) (E-7283)	r		
790.5060	(P-7198) (E-7283)	r		
790.5100	(P-7198) (E-7283)	r		
790.4220	(P-7198) (E-7283)	r		
790.4220	(P-7198) (E-7283)	r		
790.4260	(P-7198) (E-7283)	r		
790.4300	(P-7198) (E-7283)	r		
790.4340	(P-7198) (E-7283)	r		
790.4380	(P-7198) (E-7283)	r		
790.4382	(P-7198) (E-7283)	r		
790.4384	(P-7198) (E-7283)	r		
790.4384	(P-7198) (E-7283)	r		
790.4385	(P-7198) (E-7283)	r		
790.4386	(P-7198) (E-7283)	r		
790.4396	(P-7198) (E-7283)	r		
790.4398	(P-7198) (E-7283)	r		
790.4420	(P-7198) (E-7283)	r		
790.4430	(P-7198) (E-7283)	r		
790.4360	(P-7198) (E-7283)	r		
790.4395	(P-7198) (E-7283)	r		
790.4500	(P-7198) (E-7283)	r		
790.4540	(P-7198) (E-7283)	r		
790.4580	(P-7198) (E-7283)	r		
790.4620	(P-7198) (E-7283)	r		
790.4660	(P-7198) (E-7283)	r		
790.4667	(P-7198) (E-7283)	r		
790.4670	(P-7198) (E-7283)	r		
790.4680	(P-7198) (E-7283)	r		
790.4700	(P-7198) (E-7283)	r		
790.4720	(P-7198) (E-7283)	r		
790.4725	(P-7198) (E-7283)	r		
790.4728	(P-7198) (E-7283)	r		
790.4740	(P-7198) (E-7283)	r		
790.4780	(P-7198) (E-7283)	r		
790.4820	(P-7198) (E-7283)	r		
790.4840	(P-7198) (E-7283)	r		
790.4860	(P-7198) (E-7283)	r		
790.4900	(P-7198) (E-7283)	r		
790.4940	(P-7198) (E-7283)	r		
790.4960	(P-7198) (E-7283)	r		

ILLINOIS REGISTER			June 18, 1993	
Volume 17, Issue #25	SECTIONS AFFECTED INDEX			
TITLE 77 (CONT'D)				
790.5840	(P-7198) (E-7283)	r		
790.5860	(P-7198) (E-7283)	r		
790.5872	(P-7198) (E-7283)	r		
790.5872	(P-7198) (E-7283)	r		
790.5893	(P-7198) (E-7283)	r		
790.5900	(P-7198) (E-7283)	r		
790.5924	(P-7198) (E-7283)	r		
790.5940	(P-7198) (E-7283)	r		
790.5980	(P-7198) (E-7283)	r		
790.5992	(P-7198) (E-7283)	r		
790.5996	(P-7198) (E-7283)	r		
790.6020	(P-7198) (E-7283)	r		
790.6060	(P-7198) (E-7283)	r		
790.6100	(P-7198) (E-7283)	r		
790.6140	(P-7198) (E-7283)	r		
790.6180	(P-7198) (E-7283)	r		
790.6220	(P-7198) (E-7283)	r		
790.6260	(P-7198) (E-7283)	r		
790.6275	(P-7198) (E-7283)	r		
790.6277	(P-7198) (E-7283)	r		
790.6280	(P-7198) (E-7283)	r		
790.6284	(P-7198) (E-7283)	r		
790.6300	(P-7198) (E-7283)	r		
790.6340	(P-7198) (E-7283)	r		
790.6370	(P-7198) (E-7283)	r		
790.6375	(P-7198) (E-7283)	r		
790.6380	(P-7198) (E-7283)	r		
790.6420	(P-7198) (E-7283)	r		
790.6430	(P-7198) (E-7283)	r		
790.6435	(P-7198) (E-7283)	r		
790.6445	(P-7198) (E-7283)	r		
790.6450	(P-7198) (E-7283)	r		
790.6452	(P-7198) (E-7283)	r		
790.6454	(P-7198) (E-7283)	r		
790.6460	(P-7198) (E-7283)	r		
790.6480	(P-7198) (E-7283)	r		
790.6500	(P-7198) (E-7283)	r		
790.6505	(P-7198) (E-7283)	r		
790.6540	(P-7198) (E-7283)	r		
790.6544	(P-7198) (E-7283)	r		
790.6570	(P-7198) (E-7283)	r		

ILLINOIS REGISTER			June 18, 1995	
Volume 17, Issue #25	SECTIONS AFFECTED	INDEX		
TITLE 71 (CONT'D)				
790.7288	(P-1798) (E-7283)	790.8420	r	(P-1798) (E-7283)
790.7291	(P-1798) (E-7283)	790.8460	r	(P-1798) (E-7283)
790.7294	(P-1798) (E-7283)	790.8500	r	(P-1798) (E-7283)
790.7296	(P-1798) (E-7283)	790.8540	r	(P-1798) (E-7283)
790.7300	(P-1798) (E-7283)	790.8580	am	(P-17496/92; W-7075)
790.7340	(P-1798) (E-7283)		r	(P-1798) (E-7283)
790.7340	(P-1798) (E-7283)	790.8590	r	(P-1798) (E-7283)
790.7380	(P-1798) (E-7283)	790.8620	r	(P-1798) (E-7283)
790.7400	(P-1798) (E-7283)	790.8660	r	(P-1798) (E-7283)
790.7420	(P-1798) (E-7283)	790.8700	r	(P-1798) (E-7283)
790.7460	(P-1798) (E-7283)	790.8710	am	(P-17496/92; W-7075)
790.7500	(P-1798) (E-7283)		r	(P-1798) (E-7283)
790.7510	(P-1798) (E-7283)	790.8724	r	(P-1798) (E-7283)
790.7520	(P-17496/92; W-7075)	790.8727	r	(P-1798) (E-7283)
790.7540	(P-1798) (E-7283)	790.8740	r	(P-1798) (E-7283)
790.7580	(P-1798) (E-7283)	790.8780	r	(P-1798) (E-7283)
790.7620	(P-1798) (E-7283)	790.8820	r	(P-1798) (E-7283)
790.7660	(P-1798) (E-7283)	790.8835	n	(P-17496/92; W-7075)
790.7700	(P-1798) (E-7283)	790.8860	r	(P-1798) (E-7283)
790.7740	(P-1798) (E-7283)	790.8900	r	(P-1798) (E-7283)
790.7780	(P-1798) (E-7283)	790.8940	r	(P-1798) (E-7283)
790.7820	(P-1798) (E-7283)	790.8980	r	(P-1798) (E-7283)
790.7828	(P-1798) (E-7283)	790.9020	r	(P-1798) (E-7283)
790.7834	(P-1798) (E-7283)	790.9035	r	(P-1798) (E-7283)
790.7860	(P-1798) (E-7283)	790.9045	am	(P-17496/92; W-7075)
790.7875	(P-1798) (E-7283)		r	(P-1798) (E-7283)
790.7900	(P-1798) (E-7283)	790.9048	r	(P-1798) (E-7283)
790.7940	(P-1798) (E-7283)	790.9050	am	(P-17496/92; W-7075)
790.7980	(P-1798) (E-7283)		r	(P-1798) (E-7283)
790.8015	(P-1798) (E-7283)	790.9056	r	(P-1798) (E-7283)
790.8020	(P-1798) (E-7283)	790.9060	r	(P-17496/92; W-7075)
790.8030	(P-17496/92; W-7075)	790.9070	am	(P-1798) (E-7283)
790.8060	(P-1798) (E-7283)		r	(P-1798) (E-7283)
790.8100	(P-1798) (E-7283)	790.9084	r	(P-1798) (E-7283)
790.8106	(P-1798) (E-7283)	790.9100	r	(P-1798) (E-7283)
790.8136	(P-1798) (E-7283)	790.9140	r	(P-1798) (E-7283)
790.8140	(P-1798) (E-7283)	790.9180	r	(P-1798) (E-7283)
790.8180	(P-1798) (E-7283)	790.9220	r	(P-1798) (E-7283)
790.8220	(P-1798) (E-7283)	790.9260	r	(P-1798) (E-7283)
790.8232	(P-1798) (E-7283)	790.9300	r	(P-1798) (E-7283)
790.8244	(P-1798) (E-7283)	790.9320	r	(P-1798) (E-7283)
790.8248	(P-17496/92; W-7075)	790.9340	r	(P-1798) (E-7283)
790.8260	(P-1798) (E-7283)	790.9380	r	(P-1798) (E-7283)
790.8290	(P-1798) (E-7283)	790.9420	r	(P-1798) (E-7283)
790.8300	(P-1798) (E-7283)	790.9460	r	(P-1798) (E-7283)
790.8340	(P-1798) (E-7283)	790.9475	r	(P-1798) (E-7283)
790.8378	(P-1798) (E-7283)	790.9486	r	(P-1798) (E-7283)
790.8380	(P-1798) (E-7283)		r	(P-1798) (E-7283)

Volume 17, Issue #25

ILLINOIS REGISTER

June 18, 1995

SECTIONS AFFECTED

INDEX

TITLE 77 (CONT'D)

790.9500

am

790.9500

am

900.40

(P-17596/92; W-7075)

790.9520

am

790.9520

am

900.50

(P-7198) (E-7283)

790.9530

r

790.9530

r

900.60

(P-17596/92; W-7075)

790.9540

r

790.9540

r

900.65

(P-7198) (E-7283)

790.9560

r

790.9560

r

900.70

(P-7198) (E-7283)

790.9580

r

790.9580

r

900.75

(P-7198) (E-7283)

790.9600

r

790.9600

r

900.75 E

(P-7198) (E-7283)

790.9680

r

790.9680

r

900.75 F

(P-7198) (E-7283)

840.20

am

840.20

am

900.75 H

(P-7198) (E-7283)

840.115

am

840.115

am

900.75 I

(P-7198) (E-7283)

840.210

am

840.210

am

Ex.A

(P-4329/92; A-2319)

840.215

am

840.215

am

Ex.B

(P-4329/92; A-2319)

840.305

am

840.305

am

Ex.C

(P-4329/92; A-2319)

840.310

am

840.310

am

Ex.D

(P-4329/92; A-2319)

840.310

am

840.310

am

915.10

(P-4329/92; A-2319)

840.310

am

840.310

am

915.20

(P-4329/92; A-2319)

840.4p.A

am

840.4p.A

am

915.40

(P-4329/92; A-2319)

Ex.A

am

Ex.A

am

915.50

(P-4329/92; A-2319)

Ex.B

am

Ex.B

am

1100.740

(P-4329/92; A-2319)

Ex.C

am

Ex.C

am

1110.60

(P-4329/92; A-2319)

Ex.D

am

Ex.D

am

1110.235

(P-4329/92; A-2319)

840.4p.C

am

840.4p.C

am

1110.250

(P-4329/92; A-2319)

840.4p.B

am

840.4p.B

am

1110.2520

(P-4329/92; A-2319)

845.10

am

845.10

am

1110.2530

(P-12314/92; A-1884)

845.15

am

845.15

am

1110.2540

(P-12314/92; A-1884)

845.20

am

845.20

am

1110.2550

(P-12314/92; A-1884)

845.23

am

845.23

am

1120.10

(P-12314/92; A-1884)

845.25

n

845.25

n

1120.20

(P-12314/92; A-1884)

845.26

n

845.26

n

1120.110

(P-12314/92; A-1884)

845.28

n

845.28

n

1120.120

(P-12314/92; A-1884)

845.29

n

845.29

n

1120.130

(P-12314/92; A-1884)

845.30

am

845.30

am

1120.310

(P-12314/92; A-1884)

845.40

am

845.40

am

1120.310

(P-12314/92; A-1884)

845.50

am

845.50

am

1120.4p.A

(P-12314/92; A-1884)

845.60

r

845.60

r

1130.140

(P-12314/92; A-1884)

845.6p.A

n

845.6p.A

n

1130.220

(P-12314/92; A-1884)

845.6p.B

n

845.6p.B

n

1130.310

(P-12314/92; A-1884)

845.6p.C

n

845.6p.C

n

1130.510

(P-12314/92; A-1884)

845.6p.D

n

845.6p.D

n

1130.520

(P-12314/92; A-1884)

845.6p.E

n

845.6p.E

n

1130.600

(P-12314/92; A-1884)

845.6p.F

n

845.6p.F

n

1130.640

(P-12314/92; A-1884)

845.6p.G

n

845.6p.G

n

1130.710

(P-12314/92; A-1884)

845.6p.H

n

845.6p.H

n

1130.720

(P-12314/92; A-1884)

845.6p.I

n

845.6p.I

n

1130.730

(P-12314/92; A-1884)

845.6p.J

n

845.6p.J

n

1130.740

(P-12314/92; A-1884)

845.6p.K

n

845.6p.K

n

1130.750

(P-12314/92; A-1884)

845.6p.L

n

845.6p.L

n

1130.760

(P-12314/92; A-1884)

845.6p.M

n

845.6p.M

n

1130.770

(P-12314/92; A-1884)

845.6p.N

n

845.6p.N

n

1130.780

(P-12314/92; A-1884)

845.6p.O

n

845.6p.O

n

1130.790

(P-12314/92; A-1884)

845.6p.P

n

845.6p.P

n

1130.800

(P-12314/92; A-1884)

845.6p.Q

n

845.6p.Q

n

1130.810

(P-12314/92; A-1884)

845.6p.R

n

845.6p.R

n

1130.820

(P-12314/92; A-1884)

845.6p.S

n

845.6p.S

n

1130.830

(P-12314/92; A-1884)

845.6p.T

n

845.6p.T

n

1130.840

(P-12314/92; A-1884)

845.6p.U

n

845.6p.U

n

1130.850

(P-12314/92; A-1884)

845.6p.V

n

845.6p.V

n

1130.860

(P-12314/92; A-1884)

845.6p.W

n

845.6p.W

n

1130.870

(P-12314/92; A-1884)

845.6p.X

n

845.6p.X

n

1130.880

(P-12314/92; A-1884)

845.6p.Y

n

845.6p.Y

n

1130.890

(P-12314/92; A-1884)

845.6p.Z

n

845.6p.Z

n

1130.900

(P-12314/92; A-1884)

ILLINOIS REGISTER			ILLINOIS REGISTER		
Volume 17, Issue #25	SECTIONS AFFECTED INDEX	June 18, 1993	Volume 17, Issue #25	SECTIONS AFFECTED INDEX	June 18, 1993
TITLE 77 (CONT'D)			TITLE 80 (CONT'D)		
1130.750 am	(P-4755/92; A-4448)	1235.300 n	(E-432; C-3056) (P-683; A-8498)	310.470 am	1200.90 am (P-3703)
1130.760 am	(P-4755/92; A-5882)	1235.310 n	(E-432; C-3056) (P-683; A-8498)	310.530 am	1200.110 am (P-3703)
1130.770 am	(P-4755/92; A-5882)	1235.320 N	(A-8498)	310.540 am	1200.120 am (P-3703)
1130.780 am	(P-4755/92; O-1242; R-5951; A-5882)	1240.10 r	(P-2225/92; A-5880)	310.Ap.A am	1200.130 am (P-3703)
1130.Ap.A am	(P-5187/92; A-5878)	1240.20 r	(P-2225/92; A-5880)		1200.140 am (P-3703)
1230.10 r	(P-5187/92; A-5878)	1240.30 r	(P-2225/92; A-5880)	Tb.C am	1200.150 am (P-3734)
1230.20 r	(P-5187/92; A-5878)	1240.40 r	(P-2225/92; A-5880)	Tb.D am	1210.100 am (P-3734)
1230.30 r	(P-5187/92; A-5878)	1240.50 r	(P-2225/92; A-5880)	Tb.E am	1210.140 am (P-3734)
1230.40 r	(P-5187/92; A-5878)	1240.60 r	(P-2225/92; A-5880)	Tb.F am	1210.160 am (P-3734)
1230.110 r	(P-5187/92; A-5878)	1240.70 r	(P-2225/92; A-5880)	Tb.G am	1210.170 am (P-3734)
1230.120 r	(P-5187/92; A-5878)	1240.80 r	(P-2225/92; A-5880)	Tb.H am	1210.180 am (P-3734)
1230.130 r	(P-5187/92; A-5878)	1240.Ap.A r	(P-2225/92; A-5880)	Tb.M n	1220.10 am (P-3755)
1230.220 r	(P-5187/92; A-5878)	2090.20 am	(P-8599)	(P-13179/92; A-590)	1220.12 am (P-3755)
1230.230 r	(P-5187/92; A-5878)	2090.35 am	(P-8599)	(PP-498)	1220.30 am (P-3755)
1230.240 r	(P-5187/92; A-5878)	2090.40 am	(P-8599)	Tb.N am	1220.40 am (P-3755)
1230.250 r	(P-5187/92; A-5878)	2090.41 am	(P-8599)	Tb.O am	1220.45 am (P-3755)
1230.260 r	(P-5187/92; A-5878)	2090.42 am	(P-8599)	Tb.P am	1220.50 am (P-3755)
1230.310 r	(P-5187/92; A-5878)	2090.43 am	(P-8599)	Tb.Q am	1220.60 am (P-3755)
1230.320 r	(P-5187/92; A-5878)	2090.44 am	(P-8599)	Tb.R am	1220.70 am (P-3755)
1230.410 r	(P-5187/92; A-5878)	2090.90 am	(P-8599)	310.Ap.C am	1220.80 n (P-3755)
1230.420 r	(P-5187/92; A-5878)	2090.90 am	(P-8599)	310.Ap.D am	1220.90 n (P-3755)
1230.430 r	(P-5187/92; A-5878)	2090.100 am	(P-8599)	420.330 am	1220.100 n (P-3755)
1230.440 r	(P-5187/92; A-5878)	2510.60 am	(P-695) (E-2031)	620.130 am	1230.10 am (P-3718)
1230.450 r	(P-5187/92; A-5878)	2510.70 am	(P-695) (E-2031)		1230.80 am (P-3718)
1230.Tb.B r	(P-5187/92; A-5878)	2510.90 am	(P-695) (E-2031)		1230.90 am (P-3718)
1235.10 r	(E-432; C-3056) (P-683; A-8498)	3000.200 am	(P-13463/92; A-8817)		1230.160 am (P-3718)
1235.20 n	(E-432; C-3056) (P-683; A-8498)	3000.210 am	(P-13463/92; A-8817)		1230.180 am (P-3718)
1235.30 n	(E-432; C-3056) (P-683; A-8498)	3000.220 am	(P-13463/92; A-8817)		1230.190 am (P-3718)
1235.40 n	(E-432; C-3056) (P-683; A-8498)	3000.Ap.A r	(P-13463/92; A-8817)		1230.200 am (P-3718)
1235.50 n	(E-432; C-3056) (P-683; A-8498)	3000.Ap.B r	(P-13463/92; A-8817)		1230.210 am (P-12384/92; A-1631)
1235.100 n	(E-432; C-3056) (P-683; A-8498)	150.210 am	(E-17372/92; RC-181; F-5952)	630.315 n	1650.230 am (P-12384/92; A-1631)
1235.110 n	(A-8498)	302.180 am	(P-17187/92; A-3169)	650.1 n	1650.240 am (P-12384/92; A-1631)
1235.200 n	(E-432; C-3056) (P-683; A-8498)	303.610 am	(P-17187/92; A-3169)	650.2 n	1650.290 am (P-12384/92; A-1631)
1235.210 n	(E-432; C-3056) (P-683; A-8498)	303.112 n	(P-19285/92; A-5587)	650.3 n	1650.300 am (P-12384/92; A-1631)
1235.220 n	(E-432; C-3056) (P-683; A-8498)	310.30 am	(P-18139/92; A-6441)	650.4 n	1650.340 am (P-12384/92; A-1631)
1235.230 n	(E-432; C-3056) (P-683; A-8498)	310.40 am	(P-18139/92; A-6441)	650.5 n	1650.370 am (P-12384/92; A-1631)
1235.240 n	(E-432; C-3056) (P-683; A-8498)	310.110 am	(P-13679/92; A-238)	650.6 n	1650.400 am (P-12384/92; A-1631)
1235.250 n	(E-432; C-3056) (P-683; A-8498)	310.130 am	(P-13679/92; A-238)	650.7 n	1650.450 am (P-12384/92; A-1631)
		310.210 am	(P-7605)	650.8 n	1650.500 am (P-12384/92; A-1631)
		310.220 am	(P-18139/92; A-6441)	650.9 n	1650.520 am (P-12384/92; A-1631)
		310.230 am	(P-18139/92; A-6441)	650.10 n	1650.550 am (P-12384/92; A-1631)
		310.270 am	(P-18139/92; A-6441)	650.11 n	1650.560 am (P-12384/92; A-1631)
		310.290 am	(P-191; C-672)	650.12 n	1650.600 am (P-12384/92; A-1631)
			(P-7605)	650.13 n	1650.620 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.14 n	1650.630 am (P-12384/92; A-1631)
			(P-7605)	650.15 n	1650.650 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.16 n	1650.660 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.17 n	1650.670 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.18 n	1650.680 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.19 n	1650.690 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.20 n	1650.700 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.21 n	1650.710 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.22 n	1650.720 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.23 n	1650.730 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.24 n	1650.740 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.25 n	1650.750 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.26 n	1650.760 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.27 n	1650.770 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.28 n	1650.780 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.29 n	1650.790 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.30 n	1650.800 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.31 n	1650.810 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.32 n	1650.820 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.33 n	1650.830 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.34 n	1650.840 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.35 n	1650.850 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.36 n	1650.860 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.37 n	1650.870 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.38 n	1650.880 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.39 n	1650.890 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.40 n	1650.900 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.41 n	1650.910 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.42 n	1650.920 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.43 n	1650.930 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.44 n	1650.940 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.45 n	1650.950 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.46 n	1650.960 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.47 n	1650.970 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.48 n	1650.980 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.49 n	1650.990 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.50 n	1650.100 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.51 n	1650.110 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.52 n	1650.120 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.53 n	1650.130 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.54 n	1650.140 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.55 n	1650.150 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.56 n	1650.160 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.57 n	1650.170 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.58 n	1650.180 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.59 n	1650.190 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.60 n	1650.200 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.61 n	1650.210 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.62 n	1650.220 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.63 n	1650.230 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.64 n	1650.240 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.65 n	1650.250 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.66 n	1650.260 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.67 n	1650.270 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.68 n	1650.280 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.69 n	1650.290 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.70 n	1650.300 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.71 n	1650.310 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.72 n	1650.320 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.73 n	1650.330 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.74 n	1650.340 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.75 n	1650.350 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.76 n	1650.360 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.77 n	1650.370 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.78 n	1650.380 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.79 n	1650.390 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.80 n	1650.400 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.81 n	1650.410 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.82 n	1650.420 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.83 n	1650.430 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.84 n	1650.440 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.85 n	1650.450 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.86 n	1650.460 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.87 n	1650.470 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.88 n	1650.480 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.89 n	1650.490 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.90 n	1650.500 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.91 n	1650.510 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.92 n	1650.520 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.93 n	1650.530 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.94 n	1650.540 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.95 n	1650.550 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.96 n	1650.560 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.97 n	1650.570 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.98 n	1650.580 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.99 n	1650.590 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.100 n	1650.600 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.101 n	1650.610 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.102 n	1650.620 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.103 n	1650.630 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.104 n	1650.640 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.105 n	1650.650 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.106 n	1650.660 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.107 n	1650.670 am (P-12384/92; A-1631)
			(P-4001/92; A-1819)	650.108 n	1650.680 am (P-12384/92;

Volume 17, Issue #25

ILLINOIS REGISTER

SECTIONS AFFECTED INDEX

TITLE 77 (CONT'D)

1130:750 am

(P-15321/92; A-4448)

1235:300 n

n

(E-432; O-3056) (P-683; A-8498)

(E-432; O-3056) (P-683; A-8498)

1130:760 am

(P-4755/92; A-5882)

1235:310 n

n

(E-432; O-3056) (P-683; A-8498)

(E-432; O-3056) (P-683; A-8498)

1130:770 am

(P-4755/92; A-5882)

1235:320 N

N

(A-8498)

(A-8498)

1130:780 am

(P-4755/92; A-5882)

1240:10 r

r

(P-5225/92; A-5880)

(P-5225/92; A-5880)

1130:Ap.A am

R-5951; A-5882

1240:20 r

r

(P-5225/92; A-5880)

(P-5225/92; A-5880)

1230:10 r

(P-5187/92; A-5878)

1240:30 r

r

(P-5225/92; A-5880)

(P-5225/92; A-5880)

1230:20 r

(P-5187/92; A-5878)

1240:40 r

r

(P-5225/92; A-5880)

(P-5225/92; A-5880)

1230:30 r

(P-5187/92; A-5878)

1240:50 r

r

(P-5225/92; A-5880)

(P-5225/92; A-5880)

1230:110 r

(P-5187/92; A-5878)

1240:60 r

r

(P-5225/92; A-5880)

(P-5225/92; A-5880)

1230:120 r

(P-5187/92; A-5878)

1240:70 r

r

(P-5225/92; A-5880)

(P-5225/92; A-5880)

1230:210 r

(P-5187/92; A-5878)

1240:70 r

r

(P-5225/92; A-5880)

(P-5225/92; A-5880)

1230:220 r

(P-5187/92; A-5878)

1240:Ap.A

Ap.A

(P-5225/92; A-5880)

(P-5225/92; A-5880)

1230:230 r

(P-5187/92; A-5878)

2090:20 am

am

(P-8599)

(P-8599)

1230:240 r

(P-5187/92; A-5878)

2090:35 am

am

(P-8599)

(P-8599)

1230:250 r

(P-5187/92; A-5878)

2090:40 am

am

(P-8599)

(P-8599)

1230:260 r

(P-5187/92; A-5878)

2090:41 am

am

(P-8599)

(P-8599)

1230:310 r

(P-5187/92; A-5878)

2090:42 am

am

(P-8599)

(P-8599)

1230:320 r

(P-5187/92; A-5878)

2090:43 am

am

(P-8599)

(P-8599)

1230:330 r

(P-5187/92; A-5878)

2090:43 am

am

(P-8599)

(P-8599)

1230:410 r

(P-5187/92; A-5878)

2090:70 am

am

(P-8599)

(P-8599)

1230:420 r

(P-5187/92; A-5878)

2090:90 am

am

(P-8599)

(P-8599)

1230:Th.A r

(P-5187/92; A-5878)

2090:100 am

am

(P-8599)

(P-8599)

1230:Th.B r

(P-5187/92; A-5878)

2510:60 am

am

(P-1695) (E-2031)

(P-1695) (E-2031)

1235:10 n

(E-432; O-3056) (P-683; A-8498)

2510:70 am

am

(P-1695) (E-2031)

(P-1695) (E-2031)

1235:15 n

(E-432; O-3056) (P-683; A-8498)

2510:90 am

am

(P-13463/92; A-8817)

(P-13463/92; A-8817)

1235:20 n

(E-432; O-3056) (P-683; A-8498)

3000:200 am

am

(P-13463/92; A-8817)

(P-13463/92; A-8817)

1235:30 n

(E-432; O-3056) (P-683; A-8498)

3000:210 am

am

(P-13463/92; A-8817)

(P-13463/92; A-8817)

1235:40 n

(E-432; O-3056) (P-683; A-8498)

3000:220 am

am

(P-13463/92; A-8817)

(P-13463/92; A-8817)

1235:50 n

(E-432; O-3056) (P-683; A-8498)

3000:Ap.A

Ap.A

(P-13463/92; A-8817)

(P-13463/92; A-8817)

1235:60 n

(E-432; O-3056) (P-683; A-8498)

3000:Ap.B

Ap.B

(P-13463/92; A-8817)

(P-13463/92; A-8817)

1235:70 n

(E-432; O-3056) (P-683; A-8498)

TITLE 80

1235:80 n

(E-432; O-3056) (P-683; A-8498)

150:210 am

am

(F-5952)

(F-17372/92; RC-181; F-5952)

1235:100 n

(E-432; O-3056) (P-683; A-8498)

302:180 am

am

(P-17187/92; A-3169)

(P-17187/92; A-3169)

1235:110 n

(E-432; O-3056) (P-683; A-8498)

302:610 am

am

(P-17187/92; A-3169)

(P-17187/92; A-3169)

1235:200 n

(E-432; O-3056) (P-683; A-8498)

303:112 am

am

(P-18258/92; A-5587)

(P-18258/92; A-5587)

1235:210 n

(E-432; O-3056) (P-683; A-8498)

310:30 am

am

(P-18139/92; A-6441)

(P-18139/92; A-6441)

1235:220 n

(E-432; O-3056) (P-683; A-8498)

310:40 am

am

(P-18139/92; A-6441)

(P-18139/92; A-6441)

1235:230 n

(E-432; O-3056) (P-683; A-8498)

310:130 am

am

(P-18139/92; A-6441)

(P-18139/92; A-6441)

1235:240 n

(E-432; O-3056) (P-683; A-8498)

310:130 am

am

(P-18139/92; A-6441)

(P-18139/92; A-6441)

1235:250 n

(E-432; O-3056) (P-683; A-8498)

310:210 am

am

(P-18139/92; A-6441)

(P-18139/92; A-6441)

1235:260 n

(E-432; O-3056) (P-683; A-8498)

310:220 am

am

(P-18139/92; A-6441)

(P-18139/92; A-6441)

1235:270 n

(E-432; O-3056) (P-683; A-8498)

310:230 am

am

(P-18139/92; A-6441)

(P-18139/92; A-6441)

1235:280 n

(E-432; O-3056) (P-683; A-8498)

310:240 am

am

(P-18139/92; A-6441)

(P-18139/92; A-6441)

1235:290 n

(E-432; O-3056) (P-683; A-8498)

310:250 am

am

(P-18139/92; A-6441)

(P-18139/92; A-6441)

1235:300 n

(E-432; O-3056) (P-683; A-8498)

310:320 am

am

(P-18139/92; A-6441)

(P-18139/92; A-6441)

1235:310 n

(E-432; O-3056) (P-683; A-8498)

310:450 am

am

(P-18139/92; A-6441)

(P-18139/92; A-6441)

1235:320 n

(E-432; O-3056) (P-683; A-8498)

310:455 am

am

(P-18139/92; A-6441)

(P-18139/92; A-6441)

ILLINOIS REGISTER

SECTIONS AFFECTED INDEX

June 18, 1993

Volume 17, Issue #25

SECTIONS AFFECTED INDEX

June 18, 1993

TITLE 86 (CONT'D)		TITLE 86 (CONT'D)	
2160.220	755.Ex.F n	105.920	n
2160.220	755.Ex.G n	105.1000	n
2160.230	755.Ex.H n	105.1000	n
2160.310	755.Ex.I n	110.115	am
2160.320	755.Ex.J n	130.535	am
2160.325	755.Ex.K n	130.1001	am
2160.330	755.Ex.L n	130.1801	am
2160.340	755.Ex.M n	130.220	am
2160.350	755.Ex.N n	130.220	am
2160.610	756.210 am	150.76-A	am
2160.620		210.101	am
2650.1		210.105	am
2650.10		210.110	am
2650.15		210.115	am
2650.25		210.120	am
2650.30		210.125	am
2650.30		210.126	am
2650.40		210.130	am
2650.50		530.115	am
2650.60		530.125	am
2650.70		535.101	n
		535.105	n
		535.110	n
		535.115	n
		535.120	n
		535.125	n
		535.130	n
		535.135	n
		535.145	n
		750.100	n
		750.200	n
		750.300	n
		750.400	n
		750.500	n
		750.600	n
		750.700	n
		750.800	n
		750.900	n

TITLE 89

103.25	n
103.35	n
104.216	am
110.30	am
111.101	am
112.9	am
112.70	am
112.71	am

TITLE 86		TITLE 86	
100.3100	am	100.3100	am
		100.3400	am
		100.3700	am
		100.7010	am
		100.9005	am
		105.100	n
		105.110	n
		105.120	n
		105.200	n
		105.210	n
		105.220	n
		105.230	n
		105.300	n
		105.310	n
		105.320	n
		105.330	n
		105.400	n
		105.410	n
		105.420	n
		105.430	n
		105.440	n
		105.450	n
		105.500	n
		105.510	n
		105.520	n
		105.530	n
		105.540	n
		105.550	n
		105.560	n
		105.570	n
		105.580	n
		105.590	n
		105.600	n
		105.610	n
		105.620	n
		105.630	n
		105.640	n
		105.650	n
		105.660	n
		105.670	n
		105.680	n
		105.690	n
		105.700	n
		105.710	n
		105.720	n
		105.730	n
		105.740	n
		105.750	n
		105.760	n
		105.770	n
		105.780	n
		105.790	n
		105.800	n
		105.810	n
		105.820	n
		105.830	n
		105.840	n
		105.850	n
		105.860	n
		105.870	n
		105.880	n
		105.890	n
		105.900	n
		105.910	n

TITLE 83

255.20	am
275.20	am
280.76	n
280.138	am
305.20	am
315.10	am
315.20	am
315.30	am
315.40	am
315.50	am
315.60	am
590.10	am
735.121	am
755.10	am
755.105	am
755.500	am
755.505	am
755.510	am
755.515	am
755.520	am
755.525	am
755.530	am
755.535	am
755.540	am
755.545	am
755.550	am
755.555	am
755.560	am
755.565	am
755.570	am
755.575	am
755.580	am
755.585	am
755.590	am
755.595	am
755.600	am
755.605	am
755.610	am
755.615	am
755.620	am
755.625	am
755.630	am
755.635	am
755.640	am
755.645	am
755.650	am
755.655	am
755.660	am
755.665	am
755.670	am
755.675	am
755.680	am
755.685	am
755.690	am
755.695	am
755.700	am
755.705	am
755.710	am
755.715	am
755.720	am
755.725	am
755.730	am
755.735	am
755.740	am
755.745	am
755.750	am
755.755	am
755.760	am
755.765	am
755.770	am
755.775	am
755.780	am
755.785	am
755.790	am
755.795	am
755.800	am
755.805	am
755.810	am
755.815	am
755.820	am
755.825	am
755.830	am
755.835	am
755.840	am
755.845	am
755.850	am
755.855	am
755.860	am
755.865	am
755.870	am
755.875	am
755.880	am
755.885	am
755.890	am
755.895	am
755.900	am
755.905	am
755.910	am
755.915	am
755.920	am
755.925	am
755.930	am
755.935	am
755.940	am
755.945	am
755.950	am
755.955	am
755.960	am
755.965	am
755.970	am
755.975	am
755.980	am
755.985	am
755.990	am
755.995	am
756.000	am

SAL-44

SAL-45

ILLINOIS REGISTER			ILLINOIS REGISTER		
Volume 17, Issue #25		June 18, 1993	Volume 17, Issue #25		June 18, 1993
SECTIONS AFFECTED INDEX			SECTIONS AFFECTED INDEX		
TITLE 89 (CONT'D)			TITLE 89 (CONT'D)		
116.500 am	(P-13764/92; A-1078)	140.488 am	(P-16095/92; A-6196)	148.140 am	(P-4540/92; A-3296)
116.520 r	(P-13764/92; A-1078)	140.492 am	(P-13397/92; E-1241)	148.150 am	(P-4540/92; A-3296)
117.15 n	(P-2126; A-8191)		R-2436; A-2290; F-3058)	148.160 am	(P-4540/92; A-3296)
	(E-2368)	140.511 am	(P-1461/92; A-6839)	148.170 am	(P-4540/92; A-3296)
120.61 am	(P-2114)	140.525 am	(P-13211/92; A-837)	148.180 am	(P-4540/92; A-3296)
120.70 am	(P-7111; A-6827)	140.538 am	(P-13211/92; A-837)	148.190 am	(P-4540/92; A-3296)
120.73 n	(P-7111; A-6827)	140.539 am	(P-19665/92; A-6839)	148.200 am	(P-4540/92; A-3296)
120.75 n	(P-7111; A-6827)	140.579 am	(P-12838/92; A-19146/92; RQ-4517; EC-7078)	148.210 am	(P-4540/92; A-3296)
120.81 am	(P-14544/92; A-1102)			148.220 am	(P-4540/92; A-3296)
121.3 am	(P-1385/92; A-644)	140.642 am	(P-16095/92; A-6196)	148.230 am	(P-4540/92; A-3296)
121.23 r	(P-15813/92; A-4333)	140.648 am	(P-17209/92; A-7004)	148.240 am	(P-4540/92; A-3296)
121.24 r	(P-15813/92; A-4333)	140.700 am	(P-7576/92; A-1112)	148.250 am	(P-4540/92; A-3296)
121.25 r	(P-15813/92; A-4333)	140.7b.K	(P-15296/92; A-2951)	148.260 am	(P-4540/92; A-3296)
121.26 r	(P-15813/92; A-4333)	144.5 am	(P-2477)	148.270 am	(P-4540/92; A-3296)
121.27 r	(P-15813/92; A-4333)	144.25 am	(P-2477)	148.280 am	(P-4540/92; A-3296)
121.28 r	(P-15813/92; A-4333)	144.75 am	(P-2477)	148.290 am	(P-4540/92; A-3296)
121.29 r	(P-15813/92; A-4333)	144.75 am	(P-2477)	148.310 am	(P-4540/92; A-3296)
121.31 am	(P-7165)	144.125 am	(P-2477)	148.320 am	(P-4540/92; A-3296)
121.32 am	(P-7165)	144.175 am	(P-2477)	149.10 n	(P-4535/92; A-3217)
121.50 am	(P-7165)	144.205 am	(P-2477)	149.25 am	(P-4535/92; A-3217)
121.58 am	(P-7165)	144.230 n	(P-899; A-8478)	149.50 am	(P-4535/92; A-3217)
121.63 am	(P-7165)	144.230 n	(P-2477)	149.75 am	(P-4535/92; A-3217)
121.64 n	(P-1385/92; A-644)	147.5 am	(P-1716; A-8486)	149.100 am	(P-4535/92; A-3217)
121.65 am	(P-1385/92; A-644)	147.5 am	(P-5471)	149.105 am	(P-4535/92; A-3217)
121.70 am	(P-1385/92; A-644)	147.25 am	(P-5471)	149.125 am	(P-4535/92; A-3217)
121.76 n	(P-15813/92; A-4333)	147.50 am	(P-13215/92; A-1128)	149.140 n	(P-4535/92; A-3217)
121.162 n	(P-15813/92; A-4333)	147.150 am	(P-5471)	149.150 am	(P-4535/92; A-3217)
121.164 n	(P-15813/92; A-4333)			160.1 am	(P-3820)
121.166 n	(P-15813/92; A-4333)	147.205 am	(P-13215/92; A-1128)	160.5 am	(P-3820)
121.170 n	(P-15813/92; A-4333)	147.7b.A am	(P-5471)	160.15 n	(P-3820)
121.172 n	(P-15813/92; A-4333)	147.7b.B am	(P-5471)	160.25 n	(P-3820)
121.174 n	(P-15813/92; A-4333)	147.7b.C am	(P-1716; A-8486)	160.77 n	(P-3820)
121.176 n	(P-15813/92; A-4333)	147.7b.D am	(P-5471)	160.85 am	(P-4892/92; A-2272)
121.178 n	(P-15813/92; A-4333)	147.7b.E am	(P-5471)	161.00 am	(P-210; A-8187)
121.180 n	(P-15813/92; A-4333)	147.7b.F am	(P-1716; A-8486)	165.70 am	(P-6614)
121.182 n	(P-15813/92; A-4333)	147.7b.G am	(P-5471)	165.104 am	(P-883; A-8472) (E-1179)
121.184 n	(P-15813/92; A-4333)	148.25 n	(P-14540/92; A-3296)	220.635 am	(P-883; A-8472) (E-1179)
121.186 n	(P-15813/92; A-4333)	148.30 am	(P-14540/92; A-3296)	220.625 am	(P-12251/92; A-224)
121.188 n	(P-15813/92; A-4333)	148.40 am	(P-14540/92; A-3296)	240.729 am	(P-15203/92; A-6090)
121.190 n	(P-15813/92; A-4333)	148.50 am	(P-14540/92; A-3296)	240.1510 am	(P-15203/92; A-6090)
121.192 n	(P-15813/92; A-4333)	148.50 am	(P-14540/92; A-3296)	240.1520 am	(P-15203/92; A-6090)
140.12 am	(P-7049/92; A-6196)	148.60 am	(P-14540/92; A-3296)	240.1530 am	(P-15203/92; A-6090)
140.19 am	(P-62; A-6839)	148.70 am	(P-14540/92; A-3296)	240.1535 am	(P-15203/92; A-6090)
140.24 am	(P-7183)	148.80 am	(P-10868/92; A-1311)	240.1540 am	(P-15203/92; A-6090)
140.80 am	(P-13019/92; A-3421)	148.80 r	(P-6935)	240.1545 am	(P-15203/92; A-6090)
140.82 n	(P-13019/92; A-3421)	148.82 n	(P-12826/92; RC-6549; A-6649)	240.1550 am	(P-15203/92; A-6090)
140.84 am	(P-13019/92; A-3421)	148.82 n		240.1555 am	(P-15203/92; A-6090)
140.94 am	(P-13019/92; A-3421)	148.120 am	(P-14540/92; A-3296)	240.1560 am	(P-15203/92; A-6090)
140.95 am	(P-13019/92; A-3421)	148.130 am	(P-14540/92; A-3296)	240.1565 am	(P-15203/92; A-6090)

ILLINOIS REGISTER			ILLINOIS REGISTER		
Volume 17, Issue #25	SECTIONS AFFECTED INDEX	June 18, 1993	Volume 17, Issue #25	SECTIONS AFFECTED INDEX	June 18, 1993
TITLE 89 (CONT'D)			TITLE 89 (CONT'D)		
336.130 n	(P-7963/92; A-1026)	434.3 am	(P-7115)	am	71.60 n
336.140 n	(P-7963/92; A-1026)	434.4 am	(P-7115)	am	71.70 n
336.150 n	(P-7963/92; A-1026)	434.5 am	(P-7115)	am	71.80 n
336.160 n	(P-7963/92; A-1026)	434.6 am	(P-7115)	am	71.90 n
336.170 n	(P-7963/92; A-1026)	434.7 am	(P-7115)	am	71.100 n
336.180 n	(P-7963/92; A-1026)	434.8 am	(P-7115)	am	71.110 n
337.10 n	(P-7969/92; A-1046)	434.9 am	(P-7115)	am	71.120 n
337.20 n	(P-7969/92; A-1046)	434.10 n	(P-7115)	am	71.130 n
337.30 n	(P-7969/92; A-1046)	434.11 n	(P-7115)	am	71.140 n
337.40 n	(P-7969/92; A-1046)	434.12 n	(P-7115)	am	71.150 n
337.50 n	(P-7969/92; A-1046)	434.13 n	(P-7115)	am	71.160 n
337.60 n	(P-7969/92; A-1046)	434.14 n	(P-7115)	am	71.170 n
337.70 n	(P-7969/92; A-1046)	434.15 n	(P-7115)	am	71.180 n
337.80 n	(P-7969/92; A-1046)	434.16 n	(P-7115)	am	71.190 n
337.90 n	(P-7969/92; A-1046)	434.17 n	(P-7115)	am	71.200 n
337.100 n	(P-7969/92; A-1046)	434.18 n	(P-7115)	am	71.210 n
337.110 n	(P-7969/92; A-1046)	434.19 n	(P-7115)	am	71.220 n
337.120 n	(P-7969/92; A-1046)	434.20 n	(P-7115)	am	71.230 n
337.130 n	(P-7969/92; A-1046)	434.21 n	(P-7115)	am	71.240 n
337.140 n	(P-7969/92; A-1046)	434.22 n	(P-7115)	am	71.250 n
337.150 n	(P-7969/92; A-1046)	434.23 n	(P-7115)	am	71.260 n
337.160 n	(P-7969/92; A-1046)	434.24 n	(P-7115)	am	71.270 n
337.170 n	(P-7969/92; A-1046)	434.25 n	(P-7115)	am	71.280 n
337.180 n	(P-7969/92; A-1046)	434.26 n	(P-7115)	am	71.290 n
337.190 n	(P-7969/92; A-1046)	434.27 n	(P-7115)	am	71.300 n
337.200 n	(P-7969/92; A-1046)	434.28 n	(P-7115)	am	71.310 n
337.210 n	(P-7969/92; A-1046)	434.29 n	(P-7115)	am	71.320 n
337.220 n	(P-7969/92; A-1046)	434.30 n	(P-7115)	am	71.330 n
337.230 n	(P-7969/92; A-1046)	434.31 n	(P-7115)	am	71.340 n
337.240 n	(P-7969/92; A-1046)	434.32 n	(P-7115)	am	71.350 n
337.250 n	(P-7969/92; A-1046)	434.33 n	(P-7115)	am	71.360 n
354.1 f	(P-8099)	354.1 f	(P-8099)	354.1 f	354.1 f
354.2 f	(P-8099)	354.2 f	(P-8099)	354.2 f	354.2 f
354.3 f	(P-8099)	354.3 f	(P-8099)	354.3 f	354.3 f
354.4 f	(P-8099)	354.4 f	(P-8099)	354.4 f	354.4 f
354.5 f	(P-8099)	354.5 f	(P-8099)	354.5 f	354.5 f
354.6 f	(P-8099)	354.6 f	(P-8099)	354.6 f	354.6 f
376.1 f	(P-8104)	376.1 f	(P-8104)	376.1 f	376.1 f
376.2 f	(P-8104)	376.2 f	(P-8104)	376.2 f	376.2 f
376.3 f	(P-8104)	376.3 f	(P-8104)	376.3 f	376.3 f
377.2 am	(P-7553/92; A-259)	377.2 am	(P-7553/92; A-259)	377.2 am	377.2 am
377.4 am	(P-7553/92; A-259)	377.4 am	(P-7553/92; A-259)	377.4 am	377.4 am
378.1 f	(P-7561/92; A-272)	378.1 f	(P-7561/92; A-272)	378.1 f	378.1 f
378.2 f	(P-7561/92; A-272)	378.2 f	(P-7561/92; A-272)	378.2 f	378.2 f
378.3 f	(P-7561/92; A-272)	378.3 f	(P-7561/92; A-272)	378.3 f	378.3 f
378.4 f	(P-7561/92; A-272)	378.4 f	(P-7561/92; A-272)	378.4 f	378.4 f
402.15 am	(P-11707/92; A-267)	402.15 am	(P-11707/92; A-267)	402.15 am	402.15 am
434.1 am	(P-7115)	434.1 am	(P-7115)	434.1 am	434.1 am
434.2 am	(P-7115)	434.2 am	(P-7115)	434.2 am	434.2 am

ILLINOIS REGISTER			ILLINOIS REGISTER		
Volume 17, Issue #25	June 18, 1993	SECTIONS AFFECTED INDEX	Volume 17, Issue #25	June 18, 1993	SECTIONS AFFECTED INDEX
TITLE 92 (CONT'D)	1001.520 n	(P-1758; A-8528) (E-2047)	TITLE 92 (CONT'D)	375.050 f	(P-566; A-8536) (P-542; A-8539)
700.50 n	(P-17235/92; A-4484)	(E-1758; A-8528)	375.055 f	(P-566; A-8536)	(P-566; A-8536)
700.60 n	(P-17235/92; A-4484)	(E-2047)	375.060 f	(P-566; A-8536)	(P-566; A-8536)
700.70 n	(P-17235/92; A-4484)	(E-2047)	375.070 f	(P-566; A-8536)	(P-566; A-8536)
700.80 n	(P-17235/92; A-4484)	(E-2047)	375.080 f	(P-566; A-8536)	(P-566; A-8536)
700.90 n	(P-17235/92; A-4484)	(E-2047)	375.090 f	(P-566; A-8536)	(P-566; A-8536)
700.100 n	(P-17235/92; A-4484)	(E-2047)	375.100 f	(P-566; A-8536)	(P-566; A-8536)
700.110 n	(P-17235/92; A-4484)	(E-2047)	375.110 f	(P-566; A-8536)	(P-566; A-8536)
700.120 n	(P-17235/92; A-4484)	(E-2047)	375.120 f	(P-566; A-8536)	(P-566; A-8536)
700.130 n	(P-17235/92; A-4484)	(E-2047)	375.130 f	(P-566; A-8536)	(P-566; A-8536)
700.140 n	(P-17235/92; A-4484)	(E-2047)	375.140 f	(P-566; A-8536)	(P-566; A-8536)
700.150 n	(P-17235/92; A-4484)	(E-2047)	375.150 f	(P-566; A-8536)	(P-566; A-8536)
700.160 n	(P-17235/92; A-4484)	(E-2047)	375.160 f	(P-566; A-8536)	(P-566; A-8536)
700.170 n	(P-17235/92; A-4484)	(E-2047)	375.170 f	(P-566; A-8536)	(P-566; A-8536)
700.180 n	(P-17235/92; A-4484)	(E-2047)	375.180 f	(P-566; A-8536)	(P-566; A-8536)
700.190 n	(P-17235/92; A-4484)	(E-2047)	375.190 f	(P-566; A-8536)	(P-566; A-8536)
700.200 n	(P-17235/92; A-4484)	(E-2047)	375.200 f	(P-566; A-8536)	(P-566; A-8536)
700.210 n	(P-17235/92; A-4484)	(E-2047)	375.210 f	(P-566; A-8536)	(P-566; A-8536)
700.220 n	(P-17235/92; A-4484)	(E-2047)	375.220 f	(P-566; A-8536)	(P-566; A-8536)
700.230 n	(P-17235/92; A-4484)	(E-2047)	375.230 f	(P-566; A-8536)	(P-566; A-8536)
700.240 n	(P-17235/92; A-4484)	(E-2047)	375.240 f	(P-566; A-8536)	(P-566; A-8536)
700.250 n	(P-17235/92; A-4484)	(E-2047)	375.250 f	(P-566; A-8536)	(P-566; A-8536)
700.260 n	(P-17235/92; A-4484)	(E-2047)	375.260 f	(P-566; A-8536)	(P-566; A-8536)
700.270 n	(P-17235/92; A-4484)	(E-2047)	375.270 f	(P-566; A-8536)	(P-566; A-8536)
700.280 n	(P-17235/92; A-4484)	(E-2047)	375.280 f	(P-566; A-8536)	(P-566; A-8536)
700.290 n	(P-17235/92; A-4484)	(E-2047)	375.290 f	(P-566; A-8536)	(P-566; A-8536)
700.300 n	(P-17235/92; A-4484)	(E-2047)	375.300 n	(P-566; A-8536)	(P-566; A-8536)
700.310 n	(P-17235/92; A-4484)	(E-2047)	375.310 n	(P-566; A-8536)	(P-566; A-8536)
700.320 n	(P-17235/92; A-4484)	(E-2047)	375.320 n	(P-566; A-8536)	(P-566; A-8536)
700.330 n	(P-17235/92; A-4484)	(E-2047)	375.330 n	(P-566; A-8536)	(P-566; A-8536)
700.340 n	(P-17235/92; A-4484)	(E-2047)	375.340 n	(P-566; A-8536)	(P-566; A-8536)
700.350 n	(P-17235/92; A-4484)	(E-2047)	375.350 n	(P-566; A-8536)	(P-566; A-8536)
700.360 n	(P-17235/92; A-4484)	(E-2047)	375.360 n	(P-566; A-8536)	(P-566; A-8536)
700.370 n	(P-17235/92; A-4484)	(E-2047)	375.370 n	(P-566; A-8536)	(P-566; A-8536)
700.380 n	(P-17235/92; A-4484)	(E-2047)	375.380 n	(P-566; A-8536)	(P-566; A-8536)
700.390 n	(P-17235/92; A-4484)	(E-2047)	375.390 n	(P-566; A-8536)	(P-566; A-8536)
700.400 n	(P-17235/92; A-4484)	(E-2047)	375.400 n	(P-566; A-8536)	(P-566; A-8536)
700.410 n	(P-17235/92; A-4484)	(E-2047)	375.410 n	(P-566; A-8536)	(P-566; A-8536)
700.420 n	(P-17235/92; A-4484)	(E-2047)	375.420 n	(P-566; A-8536)	(P-566; A-8536)
700.430 n	(P-17235/92; A-4484)	(E-2047)	375.430 n	(P-566; A-8536)	(P-566; A-8536)
700.440 n	(P-17235/92; A-4484)	(E-2047)	375.440 n	(P-566; A-8536)	(P-566

TITLE 92 (CONT'D)

2520.222	n	(P-542; A-8539)
2520.222	r	(P-566; A-8536)
2520.223	n	(P-542; A-8539)
2520.223	r	(P-566; A-8536)
2520.224	n	(P-542; A-8539)
2520.224	r	(P-566; A-8536)
2520.225	n	(P-542; A-8539)
2520.225	r	(P-566; A-8536)
2520.226	n	(P-542; A-8539)
2520.226	r	(P-566; A-8536)
2520.227	n	(P-542; A-8539)
2520.227	r	(P-566; A-8536)
2520.228	n	(P-542; A-8539)
2520.228	r	(P-566; A-8536)
2520.229	n	(P-542; A-8539)
2520.229	r	(P-566; A-8536)
2520.230	n	(P-542; A-8539)
2520.230	r	(P-566; A-8536)
2520.231	n	(P-542; A-8539)
2520.231	r	(P-566; A-8536)
2520.232	n	(P-542; A-8539)
2520.232	r	(P-566; A-8536)
2520.233	n	(P-542; A-8539)
2520.233	r	(P-566; A-8536)
2520.234	n	(P-542; A-8539)
2520.234	r	(P-566; A-8536)
2520.235	n	(P-542; A-8539)
2520.235	r	(P-566; A-8536)
2520.236	n	(P-542; A-8539)
2520.236	r	(P-566; A-8536)
2520.237	n	(P-542; A-8539)
2520.237	r	(P-566; A-8536)
2520.238	n	(P-542; A-8539)
2520.238	r	(P-566; A-8536)
2520.239	n	(P-542; A-8539)
2520.239	r	(P-566; A-8536)
2520.240	n	(P-542; A-8539)
2520.240	r	(P-566; A-8536)
2520.241	n	(P-542; A-8539)
2520.241	r	(P-566; A-8536)
2520.242	n	(P-542; A-8539)
2520.242	r	(P-566; A-8536)
2520.243	n	(P-542; A-8539)
2520.243	r	(P-566; A-8536)
2520.244	n	(P-542; A-8539)
2520.244	r	(P-566; A-8536)
2520.245	n	(P-542; A-8539)
2520.245	r	(P-566; A-8536)
2520.246	n	(P-542; A-8539)
2520.246	r	(P-566; A-8536)
2520.247	n	(P-542; A-8539)
2520.247	r	(P-566; A-8536)
2520.248	n	(P-542; A-8539)
2520.248	r	(P-566; A-8536)
2520.249	n	(P-542; A-8539)
2520.249	r	(P-566; A-8536)
2520.250	n	(P-542; A-8539)
2520.250	r	(P-566; A-8536)
2520.251	n	(P-542; A-8539)
2520.251	r	(P-566; A-8536)
2520.252	n	(P-542; A-8539)
2520.252	r	(P-566; A-8536)
2520.253	n	(P-542; A-8539)
2520.253	r	(P-566; A-8536)
2520.254	n	(P-542; A-8539)
2520.254	r	(P-566; A-8536)
2520.255	n	(P-542; A-8539)
2520.255	r	(P-566; A-8536)
2520.256	n	(P-542; A-8539)
2520.256	r	(P-566; A-8536)
2520.257	n	(P-542; A-8539)
2520.257	r	(P-566; A-8536)
2520.258	n	(P-542; A-8539)
2520.258	r	(P-566; A-8536)
2520.259	n	(P-542; A-8539)
2520.259	r	(P-566; A-8536)
2520.260	n	(P-542; A-8539)
2520.260	r	(P-566; A-8536)
2520.261	n	(P-542; A-8539)
2520.261	r	(P-566; A-8536)
2520.262	n	(P-542; A-8539)
2520.262	r	(P-566; A-8536)
2520.263	n	(P-542; A-8539)
2520.263	r	(P-566; A-8536)
2520.264	n	(P-542; A-8539)
2520.264	r	(P-566; A-8536)

